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2d Session

HOUSE OF REPRESENTATIVES

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

NINETY-NINTH CONGRESS

SECOND SESSION

DOCUMENTS OF THE HELSINKI MONITORING GROUPS

IN THE

U.S.S.R. AND LITHUANIA

(1976–1986)

Volume 3

UKRAINE

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Ukrainian Helsinki Group: Ten Years Later

November 9, 1986, marked the 10th anniversary of the largest and, in terms of prison sentences, the most repressed of the Soviet Helsinki Groups--the Ukrainian Helsinki Group. Founded by Ukrainian writer and World War II veteran Mykola Rudenko, the group produced extensive documentation on violations of the Helsinki Accords in Ukraine, such as persecution of individual dissent, suppression of the Ukrainian language and culture, and religious persecution.

The Soviet Government was determined to deny this group any public voice. Of the 38 members of the Ukrainian Helsinki Group, all but one have been imprisoned at one time or another. Fourteen Ukrainian Helsinki Monitors and one Estonian human rights activist who joined the group while in a labor camp, are currently serving lengthly sentences.

Since May 1984, three members have died in camps. All three men had been ill and denied adequate medical care. Oleksa Tykhy, Yuriy Lytvyn and Vasyl Stus all died for their beliefs. Prior to his death, Stus had written "Moscow has given the camp authorities complete power, and anyone harboring the illusion that our relations with /the camp authorities/ are regulated by some sort of law is sadly mistaken." His words were tragically prophetic. We are concerned that the same fate awaits others, including Lev Lukianenko, Mykola Horbal, Ivan Kandyba, Vasyl Ovsienko and Vitaly Kalynychenko.

It is vital that we remember the courageous members of the Ukrainian Monitoring Group and their eloquent call for compliance with the ideals of Helsinki. In fact, the Congress recently passed a resolution commemorating the anniversary of the founding of the Ukrainian Helsinki group and honoring the members of all the Soviet Helsinki Monitoring Groups. At the ongoing Vienna CSCE Follow-up Meeting, the United States and other Western delegations are speaking out on behalf of the imprisoned members of the Ukrainian and other Helsinki Groups. We hope that the documents contained in this volume will help to ensure that the Ukrainian Group and its message are not forgotten.

Dennis De Concini
DENNIS DeCONCINI
Co-Chairman

Steny Hoyer
STENY H. HOYER
Chairman

THE COMMISSION WOULD LIKE TO ACKNOWLEDGE MS. NINA STROKATA, A FOUNDING MEMBER OF THE UKRAINIAN HELSINKI GROUP FOR HER VALUABLE ASSISTANCE IN EDITING AND COMPILING THE DOCUMENTS IN THIS VOLUME. THE COMMISSION ALSO EXPRESSES ITS APPRECIATION TO SMOLOSKYP INFORMATION SERVICE, WHO PROVIDED US WITH MANY OF THE DOCUMENTS FOUND IN THIS VOLUME.

The Ukrainian Helsinki Group: Ten Years of Repressions

by Nina Strokata
(founding member of the Ukrainian Helsinki Group)

August 1975 marked the tenth anniversary of the signing of the Helsinki Final Act of the Conference on Security and Cooperation in Europe by the leaders of the 35 European nations and the United States and Canada. November 1986 marked the tenth anniversary of the founding of the Ukrainian Helsinki Group for the Implementation of the Helsinki Accords. Let us look at the recent past and let us also try to look at the future, which, although it may depend, in part, on the movement of processes and events, is nevertheless linked to the Helsinki Accords.

In 1975, on the first day of the Helsinki conference, the prisoners of the Perm labor camp carried out a one-day hunger strike and announced their reservations as to whether the Soviet Government would abide by the Accords. From another prison camp in Mordovia, Ukrainian dissident Vyacheslav Chornovil, wrote to the President Gerald Ford on August 1, 1975, and stated that the Soviet leaders would turn detente into a process which would occur at the same time that opposition is stifled in the USSR.

The following year, a group of prisoners undertook a hunger strike to call attention to their doubts regarding the value of any agreements with the USSR. Among the participants were future members of the Ukrainian Helsinki Group, including the late Vasyl Stus. Stus, at that time serving his first prison term, advised Soviet leaders to consider why there was no end to the repressions in Ukraine.

Everything that happened to the Ukrainian members of the Helsinki movement in the USSR testified to the acumen of those who, knowing the morality and habits of the Kremlin bosses, could foresee the crisis in the Helsinki process.

Repressions against the members of the Ukrainian Helsinki Group began on the very day that the Group was formed. During the first year of the Group's activity, four of its ten founding members were sentenced for participating in its work. Nevertheless, new members joined the Group. Both legal and illegal measures were used against the Group, including forcible emigration (meant to look like a form of "liberal" punishment). By the end of 1979, six members of the Group found themselves abroad. Aside from these six and Leonid Plyushch, no other Ukrainian human rights activists were permitted to emigrate.

Other punitive measures were also applied. Some members, such as Oksana Meshko, Vasyl Stus, and Petro and Vasyl Sichko, experienced only the threat of psychiatric incarceration. Hanna Mykhailenko, a sympathizer of the Group since 1980, was incarcerated in a psychiatric prison. Her friends do not see any way to save her from further tortures. Punitive measures include not only the abuse of psychiatry but the systematic neglect of medical care in Soviet camps and prisons. This neglect is the real cause for the deaths of Ukrainian Helsinki Group members Oleksy Tykhy and Vasyl Stus, both of whom needed qualified and humane medical treatment. If we consider other deceased Group members, it becomes clear that the deaths of Mykhaylo Melnyk and Yuriy Lytvyn are the ultimate result of Soviet Government aggression against those who had hoped to encourage the authorities to abide by the Helsinki Accords.

Despite this repression, new members continued to join the Group until the end of 1979. Some political prisoners serving labor camp terms announced their joining tne Ukrainian-based group, with the intention of supporting the Helsinki movement in Ukraine. In 1983, out of solidarity with those being repressed in Ukraine, Estonian political prisoner Mart Niklus and Lithuanian political prisoner Viktoras Petkus announced their entry into the Ukrainian Helsinki Group. Their action was partially symbolic, since it must have been difficult to believe in the rebirth of the Helsinki movement at a time when almost all of its participants throughtout the USSR--even in Moscow--were being repressed or forced to suspend their activities. Few could know at that time of the formation in Ukraine of the Initiative Group for the Defense of Believers and the Church, a group which considered itself a part of the Helsinki movement in Ukraine. In 1984, documents reached the West in which this group calls itself a Helsinki Group. Thus, attempts at renewing the Helsinki movement in Ukraine have taken place fairly recently. The organizers and leaders of this new Helsinki Group were Yosyf Terelya and Vasyl Kobryn, both sentenced to labor camp terms in 1985.

Some mention should also be made of those who, under unknown circumstances, suddenly began to "accuse" themselves and their compatriots. Those who have publicly confessed their "errors" were also victims of repression. (Among them was one of the founding members of the Ukrainian Helsinki Group.) It should not be forgotten that Moscow knows how to fabricate recantations as well as accusations.

Demographic and Social Make-up of the 37 members of the Ukrainian Helsinki Group

Birth dates:	Before 1925:	6 members
	1926 to 1945:	24 members
	After 1945:	7 members
Sex:	Men:	30
	Women:	7
Nationality:	Ukrainian:	35
	Jewish:	1
	Russian:	1
Occupation:	Laborers:	3
	Military:	1
	Religious:	1
	Creative Intellectuals (writers, publicists, artists, composers)	12
	Professionals: (physicians, engineers, lawyers and teachers)	18
	Students deprived of the opportunity to complete their education:	2
Former member of public and political organizations (Organization of Ukrainian Nationalists, Ukrainian National Front, Laborers and Farmers Union, Communist Party) NOTE: Membership in Komsomol is not considered due to the massive and informal nature of the organization.		13
Former political prisoners		27
(including prisoners of Stalinist camps)		10
Members joining the Group while imprisoned:		9

The statistics support the following conclusions:

--The Ukrainian Helsinki Group is a national, public association of men and women who grew up during the time of massive destruction of Ukrainians. The Group members in turn became the victims of permanent anti-Ukrainian repressions.

--The members of the Ukrainian Helsinki Group are individuals who have already tested themselves in public or political activity, mostly in the intellectual sphere.

I—TO THE HISTORY OF THE UKRAINIAN HELSINKI GROUP (DOCUMENTS)

X

DECLARATION

of the

Ukrainian Public Group To Promote the Observance

of the Helsinki Accords

> Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.
>
> Universal Declaration of Human Rights, Article 19.

....

We, Ukrainians, live in Europe, which in the first half of the twentieth century has been twice ravaged by war. These wars covered with blood the Ukrainian land as they did the lands of other European countries. And that is why we see as illegal the fact that Ukraine, a full member of the UN, was not represented by its own delegation at the Helsinki Conference on European Security and Cooperation.

We realize that according to the treaty of December 27, 1922, forming the Soviet Union, all international agreements, signed by the Government of the Soviet Union, also encompass Ukraine. It follows, therefore, that the Declaration of Human Rights as well as the Declaration of Principles, on which the signatory nations of the Helsinki Conference are to base their relations, are in effect also in Ukraine.

Experience has shown that the implementation of the Helsinki Accords (especially the humanitarian sections) cannot be guaranteed without the participation of the public of the signatory nations. For this reason, on November 9, 1976, we formed the Ukrainian Public Group To Promote the Implementation of the Helsinki Accords. Since the humanitarian articles of the Final Act of the Conference on European Security and Cooperation are based wholly on the Universal Declaration of Human Rights, the Ukrainian Public Group has set for itself the following objectives:

1. To acquaint the Ukrainian public with the Declaration of Human Rights; to strive to have this international legal document

become the basis of relations between the individual and the nation;

2. Convinced that peace among nations cannot be guaranteed without free contacts between peoples and the free exchange of information and ideas, to actively promote the implementation of the Final Act of the Conference on European Security and Cooperation;

3. To strive to have Ukraine, a sovereign European nation and member of the UN, represented by its own delegation at all international conferences dealing with the implementation of the Helsinki Accords;

4. In order to promote the free flow of information and ideas, to strive for the accreditation in Ukraine of foreign press correspondents, for the formation of independent news agencies, and the like.

The Group sees as its prime objective informing the signatory nations and the world public about violations in Ukraine of the Universal Declaration of Human Rights and the humanitarian articles accepted by the Helsinki Conference. To this end, our Group:

a. Accepts written complaints about violations of Human Rights and does everything within its power to bring them to the attention of the governments that signed the Helsinki Accords and the world community;

b. Compiles this information on the state of legality in Ukraine and, in full accordance with Article 19 of the Universal Declaration of Human Rights, disseminates this information without regard for national boundaries;

c. Studies instances of violations of Human Rights with respect to Ukrainians living in other republics in order to bring this information to light.

In its activity the Group is guided not by political but by humanitarian and legal considerations. We realize that the entrenched governmental bureaucracy, which continues to grow, can take countermeasures against our legitimate aspirations. But we also fully understand that the bureaucratic interpretation of Human Rights does not reflect the full meaning of international legal agreements, signed by the Government of the U.S.S.R. We accept these documents in their widest interpretation, without bureaucratic distortions or arbitrary limitations by officials or official agencies. We are fully convinced that only through this understanding of the Universal Declaration of Human Rights and the Helsinki Accords can a real relaxation of international tensions be achieved. It is to this end that we dedicate the humanitarian and legal activities of our Group.

The Members of the Ukrainian Public Group To Promote the Observance of the Helsinki Accords:

Name	Signature	Address
Oles BERDNYK		Kiev-159, bulvar Lukhachova 8-b, kv. 16.
Petro HRYHORENKO /Pyotr Grigorenko/		Moskva, H-21, Komsomolsky prospekt, No. 14, kv. 96.
Ivan KANDYBA		Lvivska obl., s. Pustomyty, vul. Shevchenka, 176.
Levko LUKYANENKO		Chernihiv, vul. Rokosovskoho, No. 41-b, kv. 41.
Oksana MESHKO		Kiev, 86, vul. Verbolozna, 16.
Mykola MATUSEVYCH		Kiev, vul. Lenina 43, kv. 2.
Myroslav MARYNOVYCH		Kievska obl., Vasylkivsky r-n, s. Kalynivka.
Mykola RUDENKO (Group leader)		Kiev, 84, Koncha-Zaspa, 1, kv. 8.
Nina STROKATA		----------
Oleksiy TYKHY		Donetska obl., Kostyantynivsky r-n., khutir Izhevka.

November 9, 1976

The signed copy is retained by the Group.

12/5/76 /signed/ Mykola Rudenko

NOTICE

of the formation of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords.

In answer to the call of the Group to Promote the Implementation of the Helsinki Accords in the USSR for the creation of national groups, a Ukrainian Group to Promote was formed in Kiev on November 9, 1976, with the following members:

Oles Berdyk	Oksana Meshko
Petro Grigorenko	Mykola Rudenko (group leader)
Levko Lukyanenko	Nina Strokata, and others.

In response to a request from like-minded Ukrainian colleagues, P. Grigorenko agreed to become the group's representative in Moscow.

On the night before November 10, unknown persons carried out an attack on the apartment of the group's leader, the poet Mykola Rudenko.

The hooligans sent a hail of rocks through the windows. A member of the group, Oksana Meshko, a prisoner of Beria's [concentration] camps who was in Rudenko's apartment, was injured by a rock. The police, summoned to the scene, refused to compile a record.

November 11, 1976

/Signed:/ *Petro GRIGORENKO*
Mykola RUDENKO

ANNOUNCEMENT OF THE FORMATION OF THE UKRAINIAN PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

On November 9, 1976, the Ukrainian Group to Promote was formed, with the well-known poet and social activist, Mykola Rudenko, as its head.

We direct attention to the fact that those who attempt to collect on the territory of Ukraine information about violations of human rights and to pass this information on to the public, and especially those who want to pass on such information to heads of state, meet with extremely difficult obstacles. And this goes against the spirit and letter of the Helsinki Accords.

Though Ukraine is formally a full member of the United Nations, she was not invited to the conference in Helsinki. For all practical purposes, there are no correspondents of the Western press in her capital; neither are there, in fact, any diplomatic representatives, who would be able to receive information. Attempts to send by mail information on violations of the Final Act, which speaks of human rights, do not bring results, for we have proof that letters with contents of this kind do not reach the addressees.

The formation of the Ukrainian Public Group under the conditions that reign in Ukraine is an act of great manliness.

On the day the group was formed, a gangster attack was organized against the apartment of Mykola Rudenko and at that time a member of the group, Oksana Meshko, was wounded by a rock.

We direct attention to the danger involved in the use of criminal methods against this group, the formation of which and whose activity stringently conform to the spirit and letter of the Final Act and against which it would be difficult to initiate judicial persecution. We ask the world public to take a stand in defense of the Ukrainian group and in the future not to let it out of its sight.

The Group to Promote the Implementation of the Helsinki Accords in the U.S.S.R. will aid the Ukrainian group in passing on information to correspondents and representatives of the heads of those states that signed the Final Act.

We hope that governments will openly and officially accept from the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords information about violations of those articles of the Final Act that speak of human rights.

November 12, 1976 /signed:/ L. Alekseeva A. Ginzburg
M. Landa A. Shcharansky
Yu. Orlov B. Slepak

AN OPEN LETTER

Concerning the participation of Ukraine in the Belgrade Conference and the creation of the Ukrainian Group to Promote [the Implementation of the Helsinki Accords].

TO PEOPLE OF GOOD WILL

[From]
Mykola Rudenko
Kiev 84, Koncha-Zaspa No. 1
Apt. 8, Tel.: 61 4863

Like my people, I do not have a thunderous voice. Today, in the streets of Ukraine's capital, the Ukrainian language is rarely heard. For the most part, it does not exist in the institutes and schools either. We are told that this is how it should be, that, as they say, a "new nation" — the Soviet nation — has emerged. And, for some reason, this "new nation" should not speak in the Lithuanian, Byelorussian or Ukrainian languages. We are being persuaded that the

Soviet language is Russian, and Russian alone! And if you don't agree with this, a prison or a psychiatric hospital awaits you.

After the October Revolution the peoples of the former Russian Empire formed a voluntary union. Lenin had written then:

> *We, the Council of the People's Commissars, recognize the Ukrainian Republic and its right to complete separation from Russia or the concluding of a treaty with the Russian Republic.*
>
> (Lenin, V.I. *Complete Works*, Vol. 36, p. 143.)

On December 27, 1922, the treaty was signed. It stipulated:

> *The union must be set upon a foundation of the principles of voluntariness and the equality of the republics.*
>
> (Lenin V.I., *Complete Works*, Vol. 36[1] p. 360.)

When this treaty was being signed I was two years old and Levko Lukyanenko hadn't even been born yet; he was born when Stalin began collectivization. Today, having served a fifteen-year term of imprisonment, Lukyanenko has returned to his native Chernihiv, where he lives under surveillance. The thirteen-year prison term of Svyatoslav Karavansky, who was born in the same year as I, should soon be completed. But Valentyn Moroz, Vyacheslav Chornovil, Vasyl Lisovy, Oleksander Serhiyenko and hundreds of others are still suffering in prisons, concentration camps and psychiatric hospitals. For what? Only for having believed: We are voluntary allies. Our language is jut as Soviet as Russian is. And if this is not so, then the whole concept of "Soviet" becomes unnatural and unacceptable. . .

Before the war I served in a NKVD division which defended the government. During the war I was the political officer of a company in blockaded Leningrad. I have always believed in the sincerity of Russian people, and still do. But I do not believe Russian chauvinists — it is they

---

1. In "Memorandum No. 1" the source of this same quote is given as Vol. 45 of Lenin's works.

who have turned Ukraine's sacred Treaty with Russia into a worthless scrap of paper.

At the UN, Ukraine is represented as a sovereign state. But on August 1, 1976, heads of government gathered in Helsinki to sign the most important document of our age — the Final Act of the Conference on Security and Cooperation in Europe. Did any of them mention that one of the large states of Europe, long-suffering Ukraine, was not represented at the gathering? The world has long become convinced, perhaps, that Ukraine's membership in the UN was a Stalinist maneuver, which the new leaders of Russia inherited. For in the West, our multinational country is still called Russia. This deep-rooted tradition is grist to the mill of Russian chauvinists.

In order to undo somehow this crying injustice, the Ukrainian Group to Promote the Implementation of the Helsinki Accords was formed in Kiev on November 9, 1976. Oles Berdnyk, the well-known Ukrainian writer; Levko Lukyanenko, a lawyer who recently returned from imprisonment; Nina Strokata, a microbiologist; and Oksana Meshko, the mother of prisoner of conscience Oleksander Serhiyenko, became its members. Like O. Berdnyk, she, [Meshko] was a prisoner of Beria's camps. (Ivan Kandyba, a lawyer who had been imprisoned for fifteen years, upon hearing of the formation of the group on the radio,[2] expressed his desire to become a member.)

At the request of his like-minded Ukrainian colleagues, General Petro Grigorenko agreed to become our group's representative in Moscow. His long-time incarceration in special psychiatric hospitals is known to the whole world. Of all the members of the group, I am the only one whom this bitter experience has so far by-passed — I have only been expelled from the party and the Writers' Union. This, of course, has deprived me of the possibility to have my works published, but in our circumstances such a punishment is considered light.

---

[2] Kandyba undoubtedly had heard about the group's formation on a foreign radio broadcast, most probably that of Radio Liberty.

And now someone has decided to introduce amendments into my fate; on the night of November 10, immediately after the creation of the group, bricks flew through the windows of my apartment. Sharp and heavy, they were meant for my head. But it just so happened that I wasn't home at the time. One of the bricks wounded Oksana Meshko, the mother of a prisoner in Vladimir Prison. The neighbors say that for several minutes the building shook with the noise. They thought it was an earthquake. The police, of course, caught no one, and refused to make out a report. The police officer said that "this small incident" shouldn't be given too much attention, "after all, no one was killed." Those were his exact words!

I live outside the town in an uninhabited forest. Distinguished persons come here to hunt boar. I have no desire at all for an incident to happen which, in the eyes of the Kiev police, will be deserving of attention, and so I am turning to people of good will: Support us with a good word!

Our group has no political goals; our task is completely humanitarian: to promote the implementation of the Helsinki Accords in the field of human rights. But we cannot avoid the nationality question: most Ukrainian political prisoners have been sentenced for imagined or real nationalism. And it is precisely this Ukrainian nationalism that the government that considers itself Soviet fears most!

In the reports about the formation of our group, it was said somewhere that we are a "branch" of the Moscow Group to Promote the Implementation of the Helsinki Accords. This is not true. Our relations are built on friendship and cooperation, not on subordination. What is most troubling is that Ukrainians and Russians really are brotherly peoples. But our neighborly relations are being spoiled by great-power chauvinism. However, inasmuch as in dissident circles it is viewed with unconcealed contempt, we fearlessly establish friendly ties with the Moscow democrats.

From under the thick ice of fettered spirituality another child of Freedom timidly raises its head. Whether it is barbarously destroyed or survives, this depends on you, people of good will.

November 14, 1976 /Signed:/ ***Mykola RUDENKO***

TO THE COUNCIL OF MINISTERS OF THE UKRAINIAN SSR

A PETITION

Article 39 of the Constitution of the USSR states that "citizens of the USSR have the full range of socio-economic and personal rights and freedoms. . ."

We, as citizens of the USSR, thus have the full range of rights and freedoms.

Article 51 of the Constitution of the USSR states that "in accordance with the aims of communist construction, citizens of the USSR have the right to unite in public organizations. . ."

Therefore we, as citizens of the USSR, have the full range of rights and freedoms, have the right to unite into a public organization.

Making use of their communal rights, a group of people, namely

Oles Berdnyk, writer	Mykola Matusevych
Petro Grigorenko, a retired general	Oksana Meshko, a retired teacher

A Petition

Ivan Kandyba, lawyer
Levko Lukyanenko, lawyer
Myroslav Marynovych, engineer
Mykola Rudenko, poet and writer
Nina Strokata, microbiologist

Oleksiy Tykhy, teacher

formed a public group in 1976 under the name "Ukrainian Public Group to Promote the Implementation of the Helsinki Accords." We informed the government of the UkrSSR about this, sending it the group's Declaration, with an explanation of the group's goals and methods of activity.

As can be seen from the very name of the public organization, the group made it its goal to help promote the implementation in the UkrSSR of the humanitarian provisions of the Final Act of the Helsinki Conference.

The group is unregistered and exists unofficially.

Because of Article 4 of the Constitution of the USSR[1], we consider it necessary to give the group official status.

The Administrative Code of the UkrSSR does not establish rules for the registration of non-governmental public organizations; for this reason we appeal directly to the government of the Ukrainian SSR either to decide the matter directly or pass it on to the Ministry of Internal Affairs of the UkrSSR with the stipulation that:

A. The Declaration of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords be reviewed in order to determine the constitutionality of the group's goals and the methods of its activity;

---

[1] Article 4 of the new Constitution of the USSR (adopted Oct. 7, 1977) states:

> **The Soviet State and all its bodies function on the basis of socialist law ensure the maintenance of law and order and safeguard the interests of society and the rights and freedoms of citizens.**
>
> **State organizations, public organizations and officials shall observe the Constitution of the USSR and Soviet laws.**

B. A decision be issued to give the group the rights of a juridical person through the group's registration;

C. A copy of the decision on registration be sent to the Ministry of Finances of the UkrSSR, for the purpose of opening a separate bank account.

The undersigned initiators are to be considered founders of the juridical person:

/Signed:/ ***O. BERDNYK — group leader***
P. HRYHORENKO — group coordinator
I. KANDYBA
L. LUKYANENKO
O. MESHKO
N. STROKATA

The group's address is: 252086, Kiev 86, Verbolozna Street 16.

Enclosed: The Declaration of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords.

Committed in Kiev on October 14, 1977.

II—MEMORANDA

MEMORANDUM NO. 1

The Effects of the European Conference on the Development of Legal Consciousness in Ukraine

1. The Formation of the Ukrainian Group.

The evolution of the movement for Human Rights in the Soviet Union led to the formation on May 12, 1976, of the Group to Promote the Implementation of the Helsinki Accords in the U.S.S.R. Yuriy F. Orlov, a corresponding member of the Academy of Sciences of the Armenian S.S.R., was elected leader of the Group. Orlov was summoned by the KGB and warned that his efforts to organize the Group were provocative and could be considered anti-Soviet. International support of the Group, however, forced the KGB to refrain from repressive measures against the Group's members, and within a few months, the Moscow Group accomplished much in promoting the implementation of the humanitarian articles of the Final Act of the Conference on Security and Cooperation in Europe. Today, the Group's activities are winning support even among the Communist parties of the West.

Although the Government continues repressive measures against civil rights activists, these measures are clearly losing their effect. Government officials are forced to conclude that prisons and concentration camps not only do not strengthen their position, they weaken it. In fact, they weaken it more than would the unhindered activities of dissidents, if they were allowed.

But then, excessive optimism is as dangerous today as underestimating the democratic movement and its effect on the Government. One thing can be said with certainty: the struggle for Human Rights will not cease until these Rights become an accepted norm of society.

In these circumstances, the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords was formed on November 9, 1976. It includes the following members:

OLES BERDNYK	Prisoner of the Beria concentration camps (1949-1956); science-fiction writer, prominent in Ukraine and abroad; author of close to 30 books, some translated into English,

	German, Portugese and other languages; expelled from the Writers' Union of Ukraine in 1972 for deviating from Socialist Realism; currently earns his livelihood from physical labor.
PETRO HRYHORENKO /Pyotr Grigorenko/	Former major-general and department head at the Military Academy; for his legal aid to the Crimean Tatars, who seek to return to their homelands, he was stripped of his rank and placed for over 5 years in a special psychiatric hospital; released, he renewed his active struggle for Human Rights; author of numerous scientific articles and books. He is the representative in Moscow for the Ukrainian Group.
IVAN KANDYBA	Lawyer; one of the authors of the program of the Ukrainian Workers' and Peasants' Union; although the Union was never formed, he was sentenced to 15 years' imprisonment, which he served in full; now lives under surveillance in Lviv Oblast; deprived of the right to work in his profession, lives in extreme hardship.
LEVKO LUKYANENKO	Lawyer; one of the authors of the program for the Ukrainian Workers' and Peasants' Union; at first sentenced to be shot, but later he and his co-author, I. Kandyba, received 15 years' imprisonment; served his sentence in full; lives under surveillance in Chernihiv, where he works as an electrician; known abroad for his numerous appeals in defense of Soviet political prisoners.
OKSANA MESHKO	Prisoner of the Beria concentration camps (1947-1956); mother of Oleksander Serhiyenko, now a political prisoner in Vladimir Prison; active in the Human Rights movement in Ukraine; listeners of foreign radio broadcasts know her for her fervent appeals on behalf of her son in which she raises today's crucial problems.
MYKOLA MATUSEVYCH	Historian; born 1946; denied the right to complete his education when dismissed from the university for his views; once jailed for 15 days for Christmas caroling; dismissed from work several times for supporting political prisoners; lives from odd jobs.
MYROSLAV MARYNOVYCH	Electrical engineer; born 1949; does not work in his profession; for his independent thinking and friendship with dissidents, he was thrice dismissed from his job; presently editor for the Tekhnika publishing house.
MYKOLA RUDENKO	Prominent Ukrainian poet and writer; author of over 20 books; was an army political instructor during the siege of Leningrad; was severely wounded and is now a disabled war veteran; expelled from the Communist

	Party of the Soviet Union and the Writers' Union of Ukraine for his philosophical and economic works; until recently, worked as a watchman; member of Amnesty International and head of the Ukrainian Public Group.
NINA STROKATA	Microbiologist; wife of the well-known Ukrainian political prisoner, Svyatoslav Karavansky; sentenced to 4 years' imprisonment for defending her husband; presently lives under surveillance in Kaluga Oblast; forbidden to work in her profession.
OLEKSIY TYKHY	Teacher; from 1957 to 1964 he was in prisons and concentration camps for his political views; barred from his profession, he works as a fireman and laborer; interested in problems of education; in June 1976 his home was illegally searched; he was detained for 2 days and brutally mistreated.

Immediately after its formation, the Group was the victim of a vicious act. On the night of November 9, 1976, the home of the Group's leader, Mykola Rudenko, was devastated. Someone threw bricks through the windows. For several minutes the building shook from the hits. At first neighbors thought there was an earthquake. Following the attack, eight sharp brick fragments, ranging from one-half to one-fifth of a brick, were found amidst the broken glass in M. Rudenko's apartment. A member of the Group, Oksana Meshko, was injured by one of the fragments. The police, summoned to the scene, refused to file a report; but a week later, police officials confiscated the brick fragments, explaining that they would be examined for possible fingerprints. Needless to say, the matter was dropped; they only wanted to dispose of the evidence.

If you take into account that M. Rudenko lives in the woods where privileged officials hunt boar and elk, it becomes clear that the attack was an obvious warning. Only the support of world opinion can protect the Group from merciless reprisals.

2. Common Violations of Human Rights.

From the first years of Stalinist dictatorship, Ukraine became the scene of genocide and ethnocide. To show that we are not merely exaggerating, let us review the definition of genocide. Here it is:

> GENOCIDE - one of the most heinous crimes against humanity, consisting of the destruction of national, ethnic, racial or religious populations...especially, the deliberate creation of living conditions that lead to the total or partial physical destruction of any population group.[1]

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[1] Ukrainian Soviet Encyclopedia, Volume 3, page 186.

That is the definition of genocide in the Ukrainian Soviet Encyclopedia. The authors of the article, however, do not cite examples of genocide--examples for which they would not have to search very far.

In 1933, the Ukrainian nation, which for centuries had not known famine, lost over 6 million people, dead by starvation. This famine, which affected the entire nation, was artificially created by the Government. Wheat was confiscated to the last grain. Even ovens and tool sheds were destroyed in the search for grain. If we add the millions of "kulaks" who were deported with their families to Siberia, where they died, then we total more than 10 million Ukrainians who in the short span of some 3 years (1930-1933) were destroyed with premeditation. That was one-quarter of the Ukrainian population. Then there was 1937, when hundreds of thousands of Ukrainian prisoners were shot. Later, there would be the war with Germany, which would destroy 7 to 8 million more Ukrainian citizens. And after this, another war was to begin: the destruction of the Ukrainian Insurgent Army, which took up arms against Hitler and would not put them down at Stalin's command. Along with the insurgents, innocent people were also killed. Hundreds of thousands of minors, women and the elderly went to concentration camps only because some insurgent drank a cup of milk or ate a crust of bread in their home. Some "insurgents" turned out to be Chekists in disguise. The prison term was uniform: 25 years. Later, more years would be added. Few of these martyrs returned to their homeland.

If one looks at the last half-century of our history, it becomes clear why our native language is not heard today on the streets of Ukrainian cities. Here is what the Ukrainian political prisoner M. Masyutko wrote from a concentration camp in 1967, that is, at a time when we were expecting that the barbed wire would be coming down forever:

> If a traveler somehow were to evade all categorical prohibitions and succeed in entering a camp for political prisoners in Mordovia, of which there are 6, he would be astonished. Here, thousands of kilometers from Ukraine, he would hear at every step the Ukrainian language in all its present dialects. The traveler would naturally ask, "What is going on in Ukraine? Disturbances? Insurrections? How do you explain such a large percentage of Ukrainians among political prisoners, a percentage that reaches 60 and even 70 per cent?" If this traveler were to visit Ukraine soon after this, he would immediately see that there are no insurrections nor disturbances in Ukraine. But then a new question would arise: "Why is the Ukrainian language so rare in the cities of Ukraine, but so prevalent in the camps for political prisoners?"

Where can we find the source of these horrors that have befallen the Ukrainian people? In our opinion, the answer lies in the fact that over the course of 30 years of Stalinist dictatorship, Human Rights, which were proclaimed in the Declaration of the Rights of Workers and Exploited Masses and in the Declaration of Rights of the Peoples of Russia, were ultimately reduced to nothing. As a result of the bureaucratic destruction of the principles contained in the Declaration of the Formation of the U.S.S.R., the national rights of Ukraine as a member of the Soviet Union ceased to be socially real.

In the 1960's Ukraine suffered another calamity. The most talented members of the young Ukrainian intelligentsia were thrown into prisons and concentration camps. These intellectuals had grown up under Soviet rule. They had been taught to believe Lenin's every word, and they believed. They ended up in concentration camps and special psychiatric hospitals because of this belief.

Here, the national question is paramount. For decades, the Ukrainian had it pounded into his head that for him there is no national question, that only the accursed enemies of Soviet rule could contemplate the separation of Ukraine from Russia. Even an inadvertent thought on this subject was so frightening that it had to be immediately forgotten. And God forbid that someone should mention it to a friend, or even one's brother. A worse crime has never existed during the entire 1000-year history of Ukraine.

Then, behold, a young person begins to learn Soviet law and unexpectedly discovers that such yearnings cannot be considered a crime at all; they are legal under the Soviet Constitution. Neither does the Criminal Code of the Ukrainian S.S.R. say that agitation for the separation of Ukraine from Russia is a criminal offense. The Code (Article 62) speaks of something else: "Agitation or propaganda conducted with the intent of undermining or weakening Soviet rule." Such agitation is punishable by imprisonment of from 6 months to 7 years.

But the separation of a republic from the Soviet Union does not necessarily have to weaken Soviet rule. On the contrary, this rule could find greater support among the populace--the republic remains soviet /soviet--a council/, but is completely independent. In this case, there is absolutely no agitation against Soviet rule. Or if there is, then it should be noted that such "agitation" is also present in the Treaty of December 27, 1922, by which the U.S.S.R. was formed:

> The union is based on the principle of voluntariness and equality of the republics, with the right of each republic to freely leave the Union.[2]

We could cite dozens of quotes from Lenin, which show that it is precisely in this voluntariness that one should interpret the spiritual and political nature of the Soviet Union.

As a matter of law, it cannot be inferred that a young person who dreams of the separation of Ukraine from the U.S.S.R., yearns simultaneously to weaken Soviet rule. Let us, therefore, assert that even the restructuring of the economy on the basis of "capitalism which exists alongside communism" (NEP) was just another form of Soviet rule--a truly Leninist form for that matter.

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[2] Lenin, V.I., Collected Works, Volume 45, page 360.

In spite of this, Levko Lukyanenko was sentenced to be shot, his sentence later commuted to 15 years' imprisonment. Levko Lukyanenko certainly did not intend to eliminate Soviet rule in Ukraine; he simply wanted the Ukrainian people to realize their constitutional right. With this as their goal, the young lawyers L. Lukyanenko and I. Kandyba, who sincerely believed in the Soviet Law they had learned so conscientiously, prepared a relatively moderate draft of a Program of the Ukrainian Workers' and Peasants' Union. That was all they did, nothing more. The Union itself, naturally, was never formed.

But then, when several persons sit around a table, discussing something serious, that, according to the standards of the KGB, is an "organization." Article 64 of the Criminal Code of the Ukrainian S.S.R., in this case permits the application of all articles of the section entitled "Especially Dangerous Crimes Against the State"--Articles 56-63. Treason is also listed here (Article 56) and it is punishable by death. That was the justification for the death sentence for one of the authors of the Program.

Actually, there was no legal basis for sentencing L. Lukyanenko and I. Kandyba. There was none because they never agitated against Soviet rule, and only such agitation can be considered a crime. And it is totally incomprehensible how they could receive punishment that the Code prescribes for treason.

Here it should be noted that according to Article 19 of the Universal Declaration of Human Rights even anti-Soviet agitation (if non-violent) is not a crime but merely an expression of personal convictions. Can a nation be considered civilized if it ratifies international agreements that guarantee the highest of Human Rights and then passes internal laws that nullify these rights?

But then, the issue in Ukraine is not anti-Soviet agitation. None of the members of the young intelligentsia who were arrested in the 1960's and 1970's called for the destruction of Soviet rule; most did not even dream of the constitutionally allowed separation of Ukraine from Russia. The issue was widespread Russification, thinly disguised as "internationalism." The motivating force of this movement was I. Dzyuba, who later, after almost a year in KGB prisons, repudiated his own convictions. But they were not disavowed by V. Moroz, V. Chornovil, V. Stus, O. Serhiyenko, I. Svitlychny, Y. Sverstyuk, and many others. Prisons, dungeons, concentration camps, special psychiatric hospitals, strict KGB surveillance and a half-starving existence are the harsh rewards for their ardent belief in the sanctity of the spirit and the letter of the Soviet Constitution.

Power sits in judgement and not Law. And Power always interprets the laws to suit its needs. What is Soviet in nature is called anti-Soviet, including the Treaty on the Formation of the U.S.S.R. and the Soviet Constitution.

What gives even the illusory justification (since it is not Soviet Law) for such trials? We often hear that the Constitution of the U.S.S.R. should not be interpreted literally because of Article 126, which establishes that the leadership nucleus of our society is to be the Communist Party. The Party issues its decisions and positions and the very same Party, and not some document, explains how we are to interpret this or that problem. If, for instance, the Party decides to combat nationalism, then nationalism should, of course, be considered an anti-Soviet activity. Efforts to instill in one's compatriots a love for the Ukrainian language and national culture are then considered anti-Soviet and are punishable by 10-12 years of imprisonment.

The legal contradictions are convincingly exposed by Ukrainian political prisoner Hryhoriy Prykhodko in his letter of November 17, 1975, to the Fourth Session of the Ninth Congress of the Supreme Soviet of the U.S.S.R.

> Externally, the Soviet Union is the most enthusiastic supporter of the Declaration of Human Rights, while inside the U.S.S.R. citizens are still so disfranchised that they would not even dare demand those rights; furthermore, the Declaration has never even been printed in Ukrainian.
>
> Externally, the Soviet Union speaks out against colonialism and for the right of national self-determination, while inside the U.S.S.R., it smothers every effort of non-Russian nations toward separation from Russia and independence...In fact, the actions of the Soviet Government contradict the very laws of the U.S.S.R.

They are contradicted because these laws are always interpreted not as they are written but as the Party leadership demands. In fact, a law in the U.S.S.R. is a trap for the naive--it provokes but does not protect from arbitrary application.

Even if it is accepted, however, that the Party must comprise the leadership nucleus of society, it does not automatically follow that any other form of thinking other than the Party's is unconstitutional. The Constitution gives Soviet citizens freedom of speech, freedom of press, freedom to assemble and demonstrate. The leadership does not have the right to interpret these democratic articles of the Constitution for its own benefit; its role is limited to ensuring that these democratic freedoms are real and not just formal declarations. If it acts otherwise, then its activities are unconstitutional and not those of citizens who struggle to attain those democratic freedoms. The Constitution is above the will of the Government because, theoretically and historically, the Ward of Law is not the Party nor the Government, but the Individual.

The bureaucracy seeks to liquidate this 1000-year-old legal norm. That is why, in practice, the situation again arises about which the Ukrainian Soviet Encyclopedia writes, "He (the serf) was the victim and not the ward of law."[3]

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[3] Ukrainian Soviet Encyclopedia, Volume 2, page 447.

3. The Savageness of the Sentences

In 1972 massive arrests began in Ukraine. Arrested were scores of young people who sympathized with I. Dzyuba, whose book, Internationalism or Russification?, became popular in "samvydav*" (samizdat).

A graduate student in philosophy, Vasyl Lisovy, never voiced his support for the "Generation of the 60's," as the young people began to be called. He was absorbed in his studies. But when Lisovy heard of the arrests of I. Dzyuba, I. Svitlychny, Y. Sverstyuk, V. Stus, O. Serhiyenko and others, his conscience would let him remain silent no longer. Lisovy clearly saw that neither universal laws nor Soviet Law could justify these arrests. They were, in essence, illegal and unconstitutional, and, as such, anti-Soviet. Believing in the sanctity of the Soviet Constitution, the communist Vasyl Lisovy wrote to the Party and Government leadership, citing the illegality of the arrests. Toward the end of his letter he wrote that if these people are criminals, then he is also a criminal, because he shares their views. Socratic consistency then led him to the conclusion that he too should be arrested and tried along with them. Naturally, in writing these words, Lisovy did not actually believe he would be arrested.

But the soulless machine of the KGB immediately went to work. V. Lisovy's "request" was granted with extreme generosity. He was sentenced to 7 years' imprisonment and 3 years' exile.

For what? No one other than government officials and judges had read his letter. The question arises: Are these people so uncertain of their Soviet convictions that they should decide immediately to protect themselves from Lisovy's "agitation"?

Another example. Svyatoslav Karavansky and Hryhoriy Prokopovych never concealed their nationalism; it forms the basis of their beliefs. It is known that V.I. Lenin insisted on differentiating between the nationalism of subjugated nations and the nationalism of subjugating nations. Lenin did not condemn nationalism of a subjugated nation, but justified it morally and politically, especially if it was not aggressive, but legally defensive in character. But S. Karavansky and H. Prokopovych and hundreds of other Ukrainian nationalists who peacefully demanded Ukrainian independence were sentenced after the war to 25 years' imprisonment because of their convictions. Later, under Khrushchev, some were released for several years. But when the Khrushchev thaw ended, they were again thrown into concentration camps for the same thing--for their convictions.

A year to 18 months from now, S. Karavansky will complete his term of imprisonment, which now totals close to 30 years. We ask: Will the KGB lengthen his sentence by another 10-15 years? S. Karavansky does not conceal the fact that he has not renounced his nationalist convictions--they have only been strengthened and hardened. He is also well aware that under Soviet Law these convictions and their propagation are not crimes.

The scheme by which the KGB operates in taking the legally sanctioned nationalism of subjugated nations, a phenomenon Lenin found completely natural and politically justified, and transforming it into a "serious crime against the state," is well illustrated by the case of V. Marchenko. A philologist and linguist, he was simultaneously indicted for Ukrainian and Azerbaijanian nationalism. This combination by itself is enough to understand that no real nationalism is involved here.

At the trial, the Azerbaijanian nationalism was dropped (Article 63, Criminal Code, Azerbaijanian S.S.R.), the charge of Ukrainian nationalism, retained.

The court (we quote the decision of the court) "determined that from the end of 1965 to 1973, Marchenko, V.V., residing in Kiev, under the influence of nationalist convictions, which resulted from reading illegal anti-Soviet literature, listening to hostile broadcasts of Western radio stations and misinterpreting isolated issues of the nationalities policy of the Soviet State, with the intention of undermining and weakening Soviet rule..."

We quote no further, for it is abundantly clear that these simple, normal acts, the natural expressions of social existence, in no way fall under any of the articles of the Criminal Code of the Ukrainian S.S.R., not to mention international conventions. But to force the Criminal Code to work for the KGB, the following formula is arbitrarily invoked: "with the intention of undermining and weakening Soviet rule..." By applying this formula where it just will not fit, a talented linguist's love for the Ukrainian and Azerbaijanian languages was construed as a "serious crime against the state."

On the basis of these obviously demagogic charges, V. Marchenko was sentenced to 6 years' imprisonment in a severe-regime corrective labor camp and 2 years in exile.

On September 19, 1974, Vasyl Fedorenko illegally crossed the border at the train station at Chop. The Czechoslovakian border guards arrested him and turned him over to Soviet authorities. In March of 1975, on the basis of Article 56 (treason, desertion to the enemy) and Article 52 of the Criminal Code of the Ukrainian S.S.R., the Uzhorod Oblast court sentenced him to 15 years' imprisonment, 5 years of which were to be served in Vladimir Prison.

If we are to adhere to normal logic, then it follows from this inhuman sentence that the Czechoslovakian Socialist Republic is an enemy of the U.S.S.R. How else could V. Fedorenko have been charged with "desertion to the enemy"?

The point is that V. Fedorenko had earlier served a sentence for his nationalistic beliefs. That is why he was tried under Article 56 and not Article 75 (crossing the border without a valid passport or permit) which is punishable by 1 to 3 years' imprisonment. They were not even ashamed to call Czechoslovakia an enemy state. But then, perhaps that is what the KGB thinks of Czechoslovakia.

In his final statement to the court, V. Fedorenko said:

> Citizen judges: Is the independence of my thoughts so dangerous to your order? Can it be that my ideas, and only they, force you to try me on such an unbelievable charge as treason and to issue this brutal sentence?
>
> Soon you will be celebrating the 30th anniversary of Victory. Then you feared neither cannon nor tanks--that was an army! Now you fear my convictions...
>
> Only where the government does not fear its people and tells them the truth about its achievements as well as its failures can freedom and democracy exist...A nation whose government hides the truth from its people can be neither democratic nor free.

V. Fedorenko, in protest against this savage arbitrariness, announced an indefinite hunger strike. Existing on the brink of death, he has continued his protest for many months now.

We could cite dozens of examples where Ukrainian nationalism, real or imagined, leads to inhuman sentences. This clearly shows that it is not Soviet authority that conducts the trials (Soviet laws do not permit trials for nationalism protective of rights), but fanatical Great-Russian chauvinists. Power, not Law, rules.

4. After the Helsinki Conference

When the European Conference was being prepared, a rumor began to circulate among the Ukrainian populace: there would soon be an amnesty. Children, now of school age, would be able to embrace their emaciated fathers, whom they had never seen as free men.

But these hopes turned out hollow. The Helsinki Accords, just as the Universal Declaration of Human Rights, ended up between the propaganda millstones, from where emerges the same old grist: bombastic proclamations that have nothing in common with reality.

We will say nothing about free contacts among people of various countries and continents. That is a luxury about which Ukrainians may not even dream. The main issue is that government agencies, which consider themselves Soviet, should adhere to their own laws.

Our Group could cite many examples of prison authorities forcing Ukrainian political prisoners and their families to speak only in Russian during visitation. No doubt this is explained by practical considerations: they want to monitor the conversation. But when you analyze it, this administrative measure takes on symbolic meaning: for the sake of the jailers' convenience, one is forced to renounce his greatest spiritual treasure--his native language.

Or, take for example, Article 6 of the Corrective Labor Code of the Ukrainian S.S.R., which states:

> Persons sentenced to prison for the first time, who prior to their arrest lived or were sentenced within the Ukrainian S.S.R., are to serve their sentence, as a rule, within the Ukrainian S.S.R.

A perfectly natural question arises: How did those tens of thousands of Ukrainians end up in Mordovian camps, where, according to the testimony of M. Masyutko, they comprise close to 70 per cent of all prisoners? Has the situation changed totally, perhaps, since the Helsinki Conference? The Group has abundant evidence that no changes for the better have occurred in this matter.

Article 6 of the Corrective Labor Code of the Ukrainian S.S.R. recognizes exceptional cases, when, "for the sake of a more efficient rehabilitation" of Ukrainian prisoners it is permissible to send them to other republics. It is unclear what educational principles are involved here. One thing is known: in the past half century, more Ukrainians have died in Mordovia than Mordovians were born.

Our Group does not have at its disposal all of the information about Ukrainian political prisoners. We only have individual reports that we were able to gather. We list some of them:

Men's Zones in Mordovia

Especially severe regime

(431120, Mordovian A.S.S.R., Zubovo-Polyansky rayon, Sosnovka, ust. ZhKh 385/1-6)

NAME AND PATRONYMIC	DATE OF BIRTH	PROFESSION	DATE OF ARREST	LENGTH OF CAMP TERM & EXILE	DATE OF EXPECTED RELEASE
HEL, Ivan Andriyovych	1936	Student-Historian	1972	10 & 5	1/12/87
MOROZ, Valentyn Yakovych	4/15/36	Historian	1970	9 & 5, of which 6 in prison	6/1/84
OSADCHY, Mykhaylo Hryhorovych	1936	Writer	1972	7 & 3	1/12/82
KARAVANSKY, Svyatoslav Yosypovych	1920	Poet-Publicist	1965 (2nd time)	25 & 10	1978

NAME AND PATRONYMIC	DATE OF BIRTH	PROFESSION	DATE OF ARREST	LENGTH OF CAMP TERM & EXILE	DATE OF EXPECTED RELEASE
SHUMUK, Danylo Lavrentiyovych	1914	Writer	1972 (3rd time)	10 & 5	1/12/87
KURCHYK, Mykola Yakovych	1927	Locksmith		28	1978
MURZHENKO, Oleksiy			1971	15	1986
REBRYK, Bohdan	1938		1970	7 & 3	1984
ROMANYUK, Vasyl Omelyanovych		Priest	1972	10	1982
SHYNKARUK, Trokhym		Poet	1970 (2nd time)	12	1982
YEVHRAFOV					

Strict regime

(Mordovian A.S.S.R., Tenhushivsky rayon, s. Barashevo, ust. ZhKh 385/3-5)

CHORNOVIL, Vyacheslav Maksymovych	1937	Journalist	1972	6 & 5	1/12/83
STUS, Vasyl Semenovych	1936	Poet	1972	5 & 3	1/12/80

(Mordovian A.S.S.R., st. Potma, Lisne, ust. ZhKh 385/19)

ZHURAKIVSKY, Mykhaylo	1921		1953	25	1978
KRAVTSOV, Ihor Ivanovych		Engineer	1972	5	1977
SEMENYUK, Roman	1927		1949	28	1977

Women's Zones in Mordovia

(431200, Mordovian A.S.S.R., Tenhushivsky rayon, s. Barashevo, ust. ZhKh 385/3-4)

KALYNETS, Iryna Onufriyivna	1940	Poet	1972	6 & 3	1/12/81

NAME AND PATRONYMIC	DATE OF BIRTH	PROFESSION	DATE OF ARREST	LENGTH OF CAMP TERM & EXILE	DATE OF EXPECTED RELEASE
POPOVYCH, Oksana Zenonivna	1925		1973	8 & 5	1986
SENYK, Iryna Mykhaylivna	1926	Nurse	1972	6 & 5	11/17/83
SHABATURA, Stefania Mykhaylivna	1938	Artist-Gobelin weaver	1972	5 & 3	1/12/80

Camps in the Perm Oblast

(618810, Perm Oblast, st. Vsesvyatska, VS 389/35)

KALYNETS, Ihor Myronovych	1940	Poet	1972	6 & 3	1981
KOVALENKO, Ivan Yukhymovych	1914?	Philologist	1972	5	1/12/77
MARCHENKO, Valery	1948?	Philologist	June 1973	6 & 2	1981
PRONYUK, Yevhan Vasylyovych	193?	Philosopher	1972	7 & 5	1984
SVITLYCHNY, Ivan Oleksiyovych	1929	Philologist	1972	7 & 5	1984
SYMYCH, Myron	1917		1967	15 (2nd time)	1982
BESARAB, Dmytro			1953	25	1978
VERKHOLYAK, Dmytro			1955	25	1980
SHULYAK, Oleksa			1953	25	1978
PIDHORODETSKY, Vasyl			1954	28	1982
PRYSHLYAK, Yevhen			1952	25	1977
MAMCHUR, Stepan			1956	25	1981
KVETSKO, Dmytro			1967	15 & 5	1987
MOTRYUK, Mykola Mykolayovych	2/20/49			4	

NAME AND PATRONYMIC	DATE OF BIRTH	PROFESSION	DATE OF ARREST	LENGTH OF CAMP TERM & EXILE	DATE OF EXPECTED RELEASE
SHOVKOVY, Ivan Vasylyovych	7/7/50	Engineer		5	
DEMYDIV, Dmytro Illich	11/3/48			5	
MARMUS, Volodymyr V.	1949			6 & 5	
MARMUS, Mykola Vasylyovych	1947			5 & 3	
(Perm Oblast, Chusovsky r-n, s. Kuchyno, VS 389/37)					
SVERSTYUK, Yevhen Oleksandrovych	1928	Writer	1972	7 & 5	1984
(Perm Oblast, Chusovsky r-n, VS 389/37)					
BERNYCHUK, Anatoliy	1939		1970	12	1982
HRYNKIV, Dmytro Dmytrovych	7/11/48	Poet	1973	7 & 5	1985
CHUPRIY, Roman Vasylyovych	7/1/48			4	
RIZNYKIV, Oleksa Serhiyovych	1938	Poet	1971	5 1/2	1977
HYRCHAK, Hryhoriy Andriyevych	1930	Artist	1952	25	1977
HUTSALO, Yuriy	1928			25	
STROTSYN, Pavlo	1928		1958	25	1983
SYNKIV, Volodymyr Yosafatovych	1954		1973	4 & 3	1980
KYSELYK, Vasyl	1927		1953	25	1978
HLYVA, Volodymyr			1949	28	1977
PALIYCHUK, Dmytro	1928			25	
KULAK, Onyfriy	1928			15	

NAME AND PATRONYMIC	DATE OF BIRTH	PROFESSION	DATE OF ARREST	LENGTH OF CAMP TERM & EXILE	DATE OF EXPECTED RELEASE
YANKEVYCH, Stepan	1928			25	
FEDYUK, Vasyl	1925			15	

(618801, Perm Oblast, Chusovsky r-n, Polovynka, VS 389/37)

LISOVY, Vasyl Semenovych	1937	Philosopher	1972	7 & 3	1982

Vladimir Prison

(600020, Vladimir-20, ust. OD-I/st.-2)

ANTONYUK, Zinoviy Pavlovych	1943	Chemical engineer	1/12/72	7 & 3	1982
BONDAR, Mykola Vasylyovych	11/21/39	Philosopher	11/7/71	7 & 3	1981
HAYDUK, Roman Vasylyovych				5 & 3	
ZDOROVY, Anatoliy Kuzmovych	1/1/38	Ph.D. in technical sciences	1973	7 & ?	
ROKYTSKY, Volodymyr Yulianovych	1930	Publicist	1/12/72	5 & ?	
PRYKHODKO, Hryhoriy Andriyovych	1935	Electronics engineer		5 & ?	
POPADYUK, Zoreslav Volodymyrovych		Student at Lviv University			
SERHIYENKO, Oleksander Fedorovych	7/26/32	Artist-restorer	1/13/72	7 & 3	1982
SAPELYAK, Stepan Yevstafiyovych	2/26/52	Student		5 & 3	
TURYK, Andriy Markovych	10/14/27		1958	25	1983
BUDULAK-SHARYHYN, Mykola Oleksandrovych	4/22/26		9/20/68	10	1978

NAME AND PATRONYMIC	DATE OF BIRTH	PROFESSION	DATE OF ARREST	LENGTH OF CAMP TERM & EXILE	DATE OF EXPECTED RELEASE
PEDAN, Leonid					
SHUKHEVYCH, Yuriy Romanovych	3/28/31	Publicist	1973	10	1983
FEDORENKO, Vasyl Petrovych	3/30/28		11/16/75	15	1990

In Exile

NAME AND PATRONYMIC	ADDRESS
HORBAL, Mykola Andriyovych	Tomsk Oblast, Porabel, SU-6, vahon 16.
HANDZYUK, Volodymyr	636400, Tomsk Oblast, Chayinsky r-n, s. Pidhorne, Lermontova 34/4.
KAMPOV, Pavlo Fedorovych	636842, Tomsk Oblast, Pervomaysky r-n, s. Komsomolske, prov. Poshtovy 3, kv. 2.
KOTS, Mykola	Tomsk Oblast, s. Hehuldet, vul. Pushkina 48, kv. 2.
KRAVETS, Andriy	636500, Tomsk Oblast, Verkhnoketsky r-n, p/v Biliy Yar, selyshche Poludenovka.
PROKOPOVYCH, Hryhoriy Hryhorovych	Krasnoyarsky Kray, s. Kurahino, vul. Molodizhna 3-6.
HUBKA, Ivan Mykolayovych	663120, Krasnoyarsky Kray, Pyrovsk, vul. Koreneva 47.

The Group's goal is to continue to collect information about Ukrainian political prisoners. The information at hand, however, is quite sufficient to conclude that the "exception" mentioned in Article 6 of the Corrective Labor Code of the Ukrainian S.S.R. has become the norm. None of the above-mentioned political prisoners is serving his judicial sentence in his homeland. For writing poems that were never made public, the talented poets Ihor Kalynets and his wife Iryna have been banished from Ukraine to the snows of Mordovia for nine years, to be subjected to KGB re-education "in the spirit of an honest attitude toward work" (Article 1, Corrective Labor Code of the Ukrainian S.S.R.). Where else but in the U.S.S.R. and China are poets thus "re-educated"?

On the other hand, Ukraine is well supplied with psychiatric hospitals.

By a decision of the Kiev Oblast Court, Vasyl Ruban was placed in the Dnipropetrovsk special psychiatric hospital for a manuscript which had been confiscated from him, one with the expressive title "Ukraine--Communist and Independent." This topic has already been discussed in previous sections. For Ukrainian political prisoners, this manner of thinking is typical.

Anatoliy Lupynis was placed in a psychiatric hospital without any judicial proceedings. In 1971, he was taken for a "little treatment." They took him and "forgot" to release him. Lupynis was imprisoned from 1957 to 1967; he took part in a strike in the Mordovian Camp 385/7. For this he was placed in Vladimir Prison. He maintained an 8-month-long hunger strike, which left him an invalid. He was bound to a bed in a camp hospital for approximately two years until finally released in 1967. His family and friends assume that Lupynis is kept in a psychiatric hospital for reading poetry by the Taras Shevchenko monument on May 22, 1971.

Boris Kovhar was thrown into the Dnipropetrovsk special psychiatric hospital for refusing to work for the KGB. Our Group has at its disposal conclusive evidence to prove this.

Mykola Plakhotnyuk, a physician, was kept in the Dnipropetrovsk special psychiatric hospital from January 12, 1972, to August 1976, when he was transferred to a similar hospital in Kazan.

Below we list individual incidents of serious violations of Human Rights that have occurred in the last few months.

Mykhaylo Kovtunenko, a Kiev physician, was arrested in September 1976 for refusing to work for the KGB. As with Kovhar, the Group has considerable evidence to prove this. He was accused of bribery, as in the noted case of the physician M. Shtern of Vinnytsya.

Recent information indicates that M. Kovtunenko was transferred without trial to a psychiatric hospital in Kiev. Should world opinion remain silent, he too will be "forgotten," as were Kovhar and Lupynis.

On November 2, 1976, Yosyp Terelya was thrown into the psychiatric hospital in Vinnytsya. Terelya has spent 14 of the 33 years of his life in camps, prisons and special psychiatric hospitals for his religious and nationalistic convictions. Freed in April 1976, he was pronounced perfectly healthy and even subject to military service. In fact, he had become an invalid; during torture his spine had been injured. He worked as a cabinetmaker in a regional hospital. From there he was taken by ambulance to an insane asylum.

Y. Terelya is an aspiring poet. He was never given the opportunity to study, but the emotions he expresses in his poems could not be suppressed. For his uncompromising nationalistic and religious feelings, expressed in large part in his poetry, Terelya has sacrificed almost half his life in camps, Vladimir Prison and special psychiatric hospitals. From the Vinnytsya psychiatric hospital Terelya writes:

Today, on the 10th, I received my first injection, though I did not request it. But when people want to do "good" for their neighbor, they sometimes permit themselves the impermissible (that is, the amoral, the unconscionable). The reaction has begun--how wonderful; I feel a great deal of acidity.

The room holds almost 40 variously sick persons. I was placed among the violent, with a few fevered alcoholics tossed in, who scream every night as if wounded. Outdoor exercise is not permitted—fresh air is forbidden! The same goes for any contacts, even the orderlies are warned not to speak to me. "No exchanges." The food is horrendous, almost like the prison swill, and there are days when you wonder where you are.

The KGB, it appears, had planned to have me killed by someone else's hand. As far as I am concerned, Psychiatry and the Police are like siblings, serving the almost legendary KGB in order to show their better side, lest, Heaven forbid, they get a "mark." With this in mind Police Captain Tymoshchuk summoned me and began to blackmail me, threatening me with jail for "parasitism," for not working, although he knew very well that I had a job and that I have a job now.[4]

Among the gross violations of Human Rights, which have not abated since Helsinki, are the "camp trials"—a method borrowed from Beria's version of jurisprudence. The "trial" is held without witnesses, without counsel and often without a representative of the local authorities, who should supervise. A typical "troika" from Stalinist times. With the aid of such "troikas," the camp administration maintains its zone in fear and submission and transfers the more active prisoners, who demand the status of political prisoners, to the harsh treatment in Vladimir Prison. That is how they pacified Zone 36 by transferring Krasnyak, Vudka, Serhiyenko and others to prison. Of the 14 Ukrainian political prisoners in Vladimir, 12 were sent there by "camp courts," most of them for 3 years.

Finally, a summation is in order. It is far from encouraging. More than a year has gone by since Helsinki and the Accords have not brought the Ukrainian people any improvement. New prisons are being built and the ranks of the KGB continue to grow. Today, every establishment has its own KGB curator. Monitoring of telephone conversations, of private mail, microphones in ceilings, planned "hooligan" muggings of Human Rights activists—all of these have become a matter of daily life. And there is no one to complain to.

True, there are fewer politically motivated arrests than in 1972, but all those considered "unreliable" lose their professional positions. The ranks of guards, engine stokers and common laborers are filled by writers, lawyers and philologists. Psychiatric hospitals are still used as institutions for "re-educating" those who think differently. False accusations, such as bribe taking, are made in order to hide political motives. Refusal to cooperate with the KGB, that is, to be an informer, brings sadistic, vicious reprisals, while informers are rewarded with automatic promotions.

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[4] On November 30, Y. Terelya was released from the psychiatric hospital (Ukrainian Public Group).

All aspects of life today are controlled by the KGB, from the employee's bed beneath the ceiling microphones (often unconcealed!), to the writer's study. For example, Mykola Rudenko summoned the KGB to remove microphones from his ceiling. Later, the KGB decided to place an informer by Rudenko, choosing Dr. Mykhaylo Kovtunenko for this ignominious role. When Kovtunenko refused, he was immediately arrested for "accepting bribes."

Another example: After an illegal search, former political prisoner Oleksiy Tykhy was arrested on suspicion of robbing a store. A guard then began to beat him. When Tykhy protested to KGB Lt. Col. Melnyk, V.O., the latter responded with brutal obscenities and shouted, "And who do you think you are?"

Actually, this detention was necessary for the KGB to confiscate Tykhy's manuscripts. In two days, he was released, but his manuscripts were not returned.

In the meantime, former political prisoners are returning unbroken, hardened, and determined to continue the struggle for Human Rights. It is enough to examine the membership of our Group to be convinced of that. This is a new, strange social phenomenon, for which the authorities are not prepared. It appears that prisons, camps, and psychiatric hospitals cannot serve as dams against a movement in defense of justice. On the contrary, they temper cadres of unyielding fighters for freedom. And the KGB can no longer make sure that political prisoners will never return.

If world opinion does not lessen its moral support, if the Western news media focus more attention to the struggle for Human Rights in the U.S.S.R., then the coming decade will bring great democratic changes in our country.

Since the collapse of feudalism, the individual has become an active element in the formulation of government policy; in other words, a Ward of the Law. This means that if there is a single individual that does not think as does the rest of society, the law must protect this individual's convictions. Otherwise the Aristotles, Copernicuses, Einsteins and Marxes would never see the light of day, for they would always be thrown into psychiatric hospitals and concentration camps.

There ~~is but~~ one Civilization--this is clearly seen from Space. The Sun's rays know no earthly boundaries. Man is formed from the rays of the Sun; he is a child of the Sun. Who has the right to restrain his thought, which strives for Infinity? For the sake of life on Earth, for the sake of our grandchildren and their children, we say: Enough! And our call is echoed in the Declaration of Human Rights and the Helsinki Accords, which were ratified also by the Soviet Government.

OLES BERDNYK

PETRO HRYHORENKO /Pyotr Grigorenko/

IVAN KANDYBA

LEVKO LUKYANENKO

OKSANA MESHKO

MYKOLA MATUSEVYCH

MYROSLAV MARYNOVYCH

MYKOLA RUDENKO (Group Leader)

NINA STROKATA

OLEKSIY TYKHY

November-December 1976

A signed copy is retained by the Group.

12/6/76 /signed/ Mykola Rudenko

Memorandum No. 2

Concerning the Participation of Ukraine in the Belgrade Conference, 1977

In several months, leading statesmen from the thirty-five countries which participated in the historic Conference in Helsinki will gather in Belgrade.

At the Belgrade Conference, countries will be represented who have populations two to three times less than were Ukraine's losses in the last world war and even those whom the war had passed by. Such wide representation, of course, can only be heartening. But, will long-suffering Ukraine, which has made innumerable sacrifices in the name of peace among nations, be represented?

The Helsinki Conference was dedicated precisely to this problem, the problem of peace and security in Europe. How could it have happened that a highly developed European country, with a population of fifty million and territory which surpasses that of any Western European state, was not invited to the forum of nations in Helsinki?

Why didn't any of the participants of the Helsinki Conference notice her absence? Is not Ukraine a member of the U.N. with all the rights due her as such? Was it not over her land, from the upper Dniester to the lower reaches of the Donets, that fascist tanks rolled?

It would be easy to ask many more rhetorical questions. But to us, members of the Ukrainian Group to Promote the Implementation of the Helsinki Accords, it is obvious why this happened. We will attempt to clarify this misunderstanding with complete frankness. And, of necessity, not without a feeling of bitterness.

Western diplomats, if not from podia then in lobbies during international conferences, continue to call the Soviet Union by the ancient term "Russia". This is not happenstance. The historical fact that the Russian Empire disintegrated long ago and in its place was created a voluntary Union of sovereign states was neither mentally assimilated nor psychologically fixed either in the West or in the Soviet Union itself. Tradition took precedence over law.

From an administrative-juristic standpoint, the Soviet Union should be compared not to the United States, as is sometimes done, but to a United Europe. It is precisely here that equal, allied states strive to unite their efforts. Precisely here is created an all-European Parliament which, through its prerogatives, reminds one of the all-Union government in its original form. But, a United Europe was never a single empire, while the Soviet Union was created in place of the Russian Empire which existed for several centuries. This is why that which was formed after October 1917 was burdened with all the horrors of the past.

Each of the Union republics, in accordance with the Constitution of the USSR, is as sovereign as any state that belongs to the European Commonwealth, which one can indeed call a Union.

However, the imperialistic past of Russia hangs like a dark shadow over the allied peoples, not allowing them to speak of their constitutional rights. That is why the personality cult, which in its worst form reproduced czarist authoritarianism, is substituted with another cult; from podia the word "Union" goes forth, but it is understood as "Russia". And that this has continued for six full decades is in no small measure the responsibility of Western leaders, for whom it was just as difficult to break away from age-old traditions as it was for the peoples of the Russian Empire.

In the meantime, the real sovereignty of the allied states, for the sake of which rivers of blood have been spilled, is being steadily transformed into a convention of protocol. And in recent years, chauvinistically inclined officials of the Russian Federation, whom no one ever punished for their militant chauvinism, contemptuously disregard even this pitiful convention. Today, for example, while these lines are being written, a senior investigator of the procuracy of the city of Moscow, someone named Tikhonov, is digging among papers confiscated on his orders from five members of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords. It had not even dawned on him to turn to the procurator for the city of Kiev. He arbitrarily signed the orders for searches of citizens of the Ukrainian SSR, just as this was done in the czarist empire, where no republics existed. Also, Sergei Kovalev was convicted in Lithuania on the basis of the Procedural Code of the RSFSR. The uncontrolled KGB still sends hundreds of Ukrainian political prisoners to Mordovia and the Urals (that is, onto the territory of neighboring states). And this is considered normal. This is how it is with the laws of the republics -- they are simply ignored.

It should be noted that Marxism as the official ideology of the Soviet Union loses some of its allure with each passing year. What should take its place? Over here, they never stop repeating: patriotism, love of the homeland. As a result, today, just as during the years of the Great Patriotic War, that which in Russian is constantly being pushed to the forefront,--though under the label "of the homeland". However, a citizen of the USSR has the right to say: an Armenian has his homeland and a Russian his. Do Union obligations really demand the renunciation of republic citizenship? Does a Ukrainian really not have the right to consider Ukraine his homeland? Which laws deny him this natural right?

Such laws did exist in czarist Russia; there are none such in the USSR. Instead, the USSR has the KGB, a military organization which counters sacred human rights with brute strength. According to the norms of the KGB, patriotism can only be Russian or "all-Soviet", which in practice also means Russian. The vice-president of the Academy of Sciences of the USSR, P.N. Fedoseyev, even created an "all-Soviet" language, one which, of course, is not a new form of Esperanto, but the same old Russian.

Russia is glorified in hundreds of poems and songs, something which, as Russian culture in general, we of course treat with respect. But if you try to express your love for Ukraine in the same images, Mordovian camps or special psychiatric hospitals await you. Do the popular masses of Russia know this? Of course they do not.

Thus, for example, in the ardent, deeply patriotic work of V. Moroz, A Chronicle of Resistance, for which he was arrested, there is not a single reference to armed resistance. The theme deals with the inhabitants of the village of Kosmach who, in preserving their native traditions, oppose spiritual standardization and the standardization of their everyday lives, i.e. pseudoculture. Nothing more! Nevertheless, this proved enough to have V. Moroz thrown into the worst of prisons -- Vladimir -- for six years. After prison, eight years of concentration camps and Siberian exile remain. But he had sung the praises of things of the homeland, something that Soviet writers call for these days. But these things of the homeland he saw not just anywhere, but in the Ukraine. This alone is the essence of his "crime".

Another example is that of native craftsman, artist-intarsist, Pyotr Ruban, who created a highly artistic work -- an inlaid cover of a book out of wood -- as a gift to the American people on the occasion of the Bicentennial of the USA. On the cover was the Statue of Liberty and the caption "200 Years". The work was stolen out of the workshop and the artist sentenced on the basis of artificially fabricated charges to eight years in strict regimen camps and five years exile with confiscation of property. They charged him with pilferage of materials from the furniture factory where he worked. The charges, however, were constructed cynically and without evidence. And all this happened just a half year before the Belgrade meeting. This inhuman verdict clearly shows what the unbridled chauvinists seek from the Helsinki Accords. Their tactics are simple: it is fine to sign any international document whatsoever, but at home as they say, "we will put things in order ourselves".

Dozens, if not hundreds, of such examples can be cited. In truth, there is no more bitter fate than to be born a Ukrainian.

There is no doubt about this: in a civilized state such things cannot continue for too long. Such experiments can be conducted only with confused, illiterate people, and there are less and less of them in the USSR. This is why we are convinced that in the end law will triumph over an imperialistic tradition. For in its legal foundations, the USSR is, after all, still an empire.

Yes, we are aware that western government officials have a basis for treating with skepticism the issue that has been raised by the Ukrainian Group: will Ukraine be represented at the Conference in Belgrade or will it not? And yet we still turn to the countries which participated in the Helsinki Conference with this appeal: demand the participation of Ukraine at all conferences on security in Europe! Security in Europe cannot become a reality if a nation of fifty million, which has suffered through countless misfortunes during two world wars, is artificially barred from participating in European affairs.

The forms of Union relationships are not eternal: they alter with time. New generations will come, generations which will read in the agreement of December 27, 1922, on the basis of which the USSR was created, that which is written there, and not that which is being dictated by the KGB. Then the conditional will become the unconditional, that which has been declared in form will be changed into state and national reality.

The citizenry of the world can do very much to hasten this day. Only then will the nations of Eastern Europe achieve full independence, only then will Western Europe sigh in relief; the threat of a new world war will have disappeared forever. If only this would come to be understood!

January 20, 1977

Ukrainian Helsinki Group:

/Signed:/
Oles Berdnyk
Ivan Kandyba
Levko Lukyanenko
Oksana Meshko
Mykola Rudenko (head of Group)
Nina Strokata-Karavansky
Oleksiy Tykhy

MEMORANDUM NO. 4

On New Repressions in Ukraine Against Members of the Helsinki Group

On February 5, 1977, the organs of the KGB and the procuracies of Kiev, Donetsk and Moscow regions again conducted searches in the apartments of the members of the Ukrainian Public Group. In the apartment of Mykola Rudenko, the leader of the group, his literary archives, 90 percent of which had been purloined during the previous search, this time were stolen in their entirety. In addition, Rudenko's wife Rayisa, his son Yuriy, and a member of the group, the writer O. Berdnyk, were subjected to body searches (without the presentation of a warrant). Those performing the search conducted themselves roughly, with employees of the security organs serving as witnesses. After the search the leader of this "action," Noskov, the deputy procurator of Donetsk Region, took Rudenko away without answering his wife's questions as to the grounds on which he was being held. For three days the Kiev procuracy did not answer Rayisa Rudenko's questions about the fate of her husband; finally, on the fourth day she was informed that he was in investigation solitary confinement cell No. 1 in Donetsk Region.

Not a search, but a pogrom was conducted in the apartment of O. Meshko, a member of the group. Investigating officer Pankov of the Kiev procuracy (the warrent was issued at the direction of the Moscow procuracy) broke a window and climbed into the apartment like a bandit. He took everything that was either handwritten or typed (as he put it, "all the trash").

Subsequently, when Oksana Meshko refused to submit to a personal search, demanding a warrant for that, the investigating officer twisted her arms and, with the help of two women, brutally searched her.

Searches were also conducted in the apartments of M. Marynovych and M. Matusevych, both members of the Public Group, as well as in the apartments of their parents and relatives in Kiev, Vasylkiv and Drohobych. Those performing the searches conducted themselves brutally, not even granting the essentials to small children — a walk, rest, food.

All these searches and acts of violence were conducted supposedly in connection with the "case of O. Tykhy," a member of the Public Group living in the Donbas. The essence of the "case" on the basis of which O. Tykhy was arrested has not been disclosed.

One thing is clear: the arrest of M. Rudenko, the leader of the group, and O. Tykhy, a member, as well as the searches in the apartments of the other members, are but the beginning of a whirlwind of repression that the organs of the KGB are preparing to direct against the Public Group in the USSR.

(Note: On February 8 of this year, the physician M. Kovtunenko, who had refused to act as the KGB's informer on M. Rudenko, was sentenced to one and one half years' imprisonment. The regional court punished him for [taking] "bribes" — three and one half rubles, a can of coffee, etc. It is obvious that this case was fabricated.)

Much depends on world public opinion: will this ominous wave subside, will the repressive organs return those arrested back to their homes, will they allow the legal monitoring of the implementation of the Helsinki Accords?!

Or will the spirit of Helsinki — the spirit of cooperation and friendship, of trust among peoples — be laid to rest beneath the crags of ruthless despotism and lawlessness?!

MEMBERS OF THE UKRAINIAN PUBLIC GROUP TO PROMOTE THE IMPLEMENTATION OF THE HELSINKI ACCORDS:

February 9, 1977

/Signed:/

L. LUKYANENKO
O. BERDNYK
P. HRYHORENKO
O. MESHKO
M. MARYNOVYCH
M. MATUSEVYCH
N. STROKATA
I. KANDYBA

The signed copy is kept in the group's archives.

[signed] O. Berdnyk[1]

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[1] After Mykola Rudenko's arrest, Berdnyk took over as head of the Ukrainian Helsinki Group.

MEMORANDUM NO. 5

TO THE COUNTRIES PARTICIPATING IN THE BELGRADE CONFERENCE IN THE SUMMER OF 1977:

INTRODUCTION

The historic will of a people inevitably manifests itself in one or another form, revelation or action. As a mountain stream searches out crevices in order to carve out a channel for itself, so does the dynamic essence of a people find spokesmen for itself — spokesmen who are sons of its spirit — in order to give to other fraternal peoples a sign of its will.

The Ukrainian Public Group to Promote the Implementation of the Helsinki Accords *is one such sign.*

The bureaucratic structure of the Soviet Country reacted to the appearance of the Group to Promote with great pain and hostility. During the group's three months in existence the security organs have conducted several brutal, harsh and savage searches of its members' apartments, confiscating almost all of the group's literary, epistolary and philosophical archives, its documents, a number of books that had no relevance to the case, etc. Finally, on February 5, 1977, the poet Mykola Rudenko, the head of the group, and teacher Oleksiy Tykhy, a group member, were arrested, with no charges whatsoever being filed against them.

What is it that the initiators of the above-mentioned lawlessness and arbitrariness are so terrified of? What terrifying things do they see in people who openly state their convictions, while inviting the ruling circles of their own country and other states to a creative, evolutionary dialogue?

The courage and openness with which the group has come forward prove that its members are not enemies of the soviets [councils], nor to the revolutionary ideals of a new world, nor to the humane ideals of Socialism and Communism.

What need was there for the searches and arrests, when all of the group's documents were released to the world for the purpose of making them public?

We are not building an underground — and this indicates that we do not intend to overthrow the Soviet order.

We are not afraid of discussion — and this shows that we are sure of our convictions.

We are ready to have our ideas either approved or rejected in a national referendum — and this proves that we would joyfully accept the will of the nation.

Is the bureaucratic structure — which has at its disposal an apparatus of repression, censorship, obedient servants and the fear sown yet in the Stalin era and undispelled to this day — ready for these things?

We are few, but we contend that with us is the will of Evolution! That is why, again and again, patiently, in friendship and with hope, we appeal to the ruling circles of the land: cease the repressions against honest people who do not think like dogmatists and the orthodox! Such people are the hope of the future! Such people can be counted on in threatening times: they will not betray. Why is it necessary to fear those who speak out, risking their lives, health and personal happiness? On the contrary, they should be invited to take part in constructive discussions and action.

A normal state structure should be interested in an opposition, for *forces that criticize are a sign and certification of the existence of shortcomings* and, therefore, of the opportunity to improve the situation.

On the other hand, "universal approbation" at "elections," congresses, or any meetings, is not joy, but misfortune and a terrifying sign, for it all attests to the necrosis of the people's spirit.

A nation's monolithic unity is manifested not through bureaucratic resolutions and approbations, but through *the free and unfettered nature* of the spiritual and intellectual life of the people.

Such freedom should be aspired to, rather than having its coming obstructed with arrests and repressions.

We declare, sincerely and courageously, that we have no fear of a new wave of persecution, for *Truth is on our side.*

All people die, but some die as nobodies, cowards and traitors, while others are true sons of their mother-nation. We prefer to die the way the glorious knights of the Zaporozhian Sich[1] died, the way Taras, Lesya and the

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[1] The Sich (founded in the 1540's) was the fortified settlement and center of the Ukrainian Kozaks, located at various times on different sites south of the great rapids of the Dnipro (Dnepr) River (thus the name "Zaporozhian," from *za* — beyond — and *porohy* — rapids). The Zaporozhian Kozaks in the 16th, 17th and 18th centuries fought Turkish, Tatar, Polish and Russian forces that at various times threatened or occupied Ukraine, and thus have a revered place in Ukrainian history as the defenders of Ukrainian independence.

Stonecutter[2] died, having carried out Ukraine's will, as it had made itself known within their hearts.

And now the voice of Mother Ukraine thunders in our heart. Doing her bidding, we offer to Fraternal Peoples our credo, our hope, our confidence that Light will conquer Darkness, that the era of enmity, fragmentation, and hostility will come to an end and the Sun of Freedom will rise over the Earth.

Listen to the Word of Ukraine of the year 1977.

1. STATEHOOD

All of the historical cataclysms through which the Ukrainian people lived during the past few centuries were born of the idea of *Statehood.* The Will of a Nation aspires to nonsubordination, to sovereignty, to the building of its *own independent* life; at the same time, neighboring imperialistic predators do everything in their power not to allow such sovereignty, but to preserve the *nation chosen as victim* in the form of a raw material — as a source of food, of spiritual force, of energy, of everything else.

This is what happened to Ukraine. Though possessed of an enormous reservoir of love of freedom, wisdom, creativity, of rare riches of the earth and the spirit, in a critical moment she was unable to hold on to her *Statehood* and became a colony of a cruel, merciless empire, whose will was diametrically opposed to the will of an enslaved Ukraine.

Russia violated all of the fraternal treaties and trampled

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[2] Taras Shevchenko, Lesya Ukrayinka and Ivan Franko (known as the Stonecutter, after one of his major poems) are Ukraine's three major poets, responsible more than anyone else for helping Ukrainians preserve their national consciousness.

the Word spoken at [the Treaty of] Pereyaslav.[3] A people whose love of freedom Europe had enthused over became serfs, slaves, bondservants to alien ravagers. Hryhoriy Petrovsky, speaking in the Duma,[4] provided an excellent characterization of autocracy's criminal activity in Ukraine — degradation of cultural and spiritual life, merciless exploitation of natural resources, unceasing genocide.

This is why the Ukrainian people joyously supported the Revolution and the proclamation of the Ukrainian Republic.

The more outstanding ideas of the Ukrainian Revolutionaries, however, as well as Lenin's ideas on the nationality question, were never put into practice. In the ensuing years the chauvinistic spirit of a great-power [mentality] could not be defeated and "the spirit of Catherine and Peter" found its still more terrible embodiment in Stalin's notorious activity.

Millions hounded and tortured to death, millions dead of starvation — all of this has been known to everyone for a long time. Sometimes it even seems strange why Ukraine still exists on geographical maps, why a Ukrainian word can still be heard now and then. And the strangest of all is that Ukraine is a member of the United Nations and is therefore considered a *sovereign state.*

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[3] The Treaty of Pereyaslav, agreed to in 1654 by Bohdan Khmelnytsky, Hetman of Ukraine, and representatives of Czar Aleksei of Muscovy, forged an alliance between those two sovereign states. Muscovy gradually encroached on the terms of the treaty and reduced Ukraine to subservient status, eventually annexing it.

[4] On May 20, 1913, Petrovsky, as a Bolshevik delegate to the Duma, sharply attacked the czarist government's policies of suppression of all manifestations of national consciousness in Ukraine. A life-long Communist, Petrovsky was later honored by having the city of Katerynoslav renamed after him to Dnipropetrovsk.

Let us not be playing blindman's bluff: this statehood of ours is nothing but a paper mirage. And the time has come to dot all the "i's," to end the incessant and insidious game with our sovereignty, as well as with the sovereignty of all the other Union republics.

The will of history is such that every nation (even the smallest) stepped onto the field of history as the one-for-all-time Son of His Mother within the One Brotherhood of Humankind.

We deeply respect the culture, the spirituality, the ideals of the Russian people. But why should Moscow be making the decisions for us at international forums (for example, the Helsinki or Belgrade forums) as to these or other problems, obligations, etc.?! Why should Ukraine's cultural, creative, scientific, agricultural and international problems be defined and planned in the capital of the neighboring (even if allied) state?

We are not naive simpletons. We understand that at work here is that very same spirit of imperialism and chauvinism, about which our Bard[5] wrote with such clarity and anger:

> *It was he, the First[6], who crucified*
> *Our Ukraine,*
> *And the Second[7] finished off*
> *The widow-orphan. . .*
> *Executioners, executioners and cannibals. . .*

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[5] Taras Shevchenko (1814-1861) named his collection of poetry *Kobzar* (the Bard), first published in 1840. A *kobzar* was an old Kozak who, accompanied on a *kobza*, sang of the heroic past, thus raising the national consciousness of the people. Because Shevchenko did the same through his poetry, especially his historical ballads, he became known as the Bard of Ukraine.

[6] Peter I, or Peter the Great, czar of Russia (1682-1725), curtailed the autonomy of the Hetmanate, as the Ukrainian Kozak state was called, effectively ending its existence after the Battle of Poltava in 1709.

[7] Catherine II, or Catherine the Great, czarina of Russia (1762-96), abolished the Hetmanate in 1764, destroyed the Zaporzhian Sich in 1775 and with it the last vestiges of Ukrainian autonomy.

You can't say it better than that! And present-day revolutionaries, communists, romantics and builders of the New World of Love and Brotherhood should carefully read through the manuscripts of the past, so as not to wander among the abstractions of excogitated schemes but instead to gird themselves in the impregnable armor of the testaments of the Spirit of the People.

We are not ones to be caught in a netting of criminal fabrications, unless the satraps of the bureaucratic citadel simply crush us, "legality" of any kind notwithstanding.

Simply, sincerely and with convictions, we announce several thoroughly thought-out positions on the subject of STATEHOOD (that of neighboring people as well as of our own):

— Not the Individual for the State, but the State for the Individual. That is why any and all social transformations should receive the Nation's approbation through a popular referendum. All those "voices of the people" that have been organized in the press will be discarded onto the trash heap of history.

— We are not raising the issue of Ukraine's "separation." We don't have anyone to separate from. The planet is one. Humankind is one. Fraternal peoples are our neighbors. From whom should be separate? On the contrary, we raise the issue of ANNEXATION, the ANNEXATION of UKRAINE, RUSSIA, GEORGIA, LATVIA and other Fraternal nations to the One Spirit of Humankind.

— We are for an Association whose name is the Union of Soviet Socialist Republics, and which will in time be transformed into a Brotherhood of Free Peoples of the Earth. But EVERY NATION should be a FREE AGENT within this association and independent in its creative spirit. Only under this condition will those deformations that distort relations among peoples and sow discord and suspicion vanish. In short, a people should be masters of their land, their tradition, their creative inheritance, their

futurological aspirations, their will to build a better life for each, for all.

— Thus, the most radical demand of the spirit of the Ukrainian Nation, for itself and for fraternal peoples, is FULL SOVEREIGNTY OF CREATIVE MANIFESTATION **in all areas of spiritual and economic life. Nothing on earth can prevent the embodiment of this idea into visible forms of historical reality, for this is the will of** EVOLUTION.

Exactly how the social transformation of strengthening the sovereignty of this nation or another will be manifested is difficult to foresee and *it should not be planned.* A nation — a sleeping giant — has in its heart many surprises for its enemies and skeptics.

But one thing is clear: no great action of historical importance will ever be realized without a free, thinking and fearless individual. That is why special attention is due the Individual, his spirit and HIS RIGHTS.

2. MAN, HIS RIGHTS

A chimeric situation: we have a Constitution that is not altogether bad, our country signed the Universal Declaration of Human Rights and the Helsinki Accords, and in all these documents there are endless repetitions about Human Rights, about all that Man *can do* and *has a right to* and this and that, etc. But when it comes to reality, then all of these rights and opportunities turn not only into mirages but into cruel blows. By demanding that which is declared in OFFICIAL DOCUMENTS, a human being dooms himself to endless tortures. Himself and those closest to him...

A terrifying paradox, one which needs to be explained.

Without a doubt, the gist of the matter is that RIGHTS are declared by the bureaucratic structure, they are, so to speak, decided [by being posted] on a wall, rather than FLOWING OUT OF MAN'S LEGAL CONSCIOUSNESS.

We shall cite a very simple example.

FREEDOM OF SPEECH, FREEDOM OF EXPRESSION, FREEDOM TO LEAVE AND RETURN [to a country], and so on. . .

In declaring these RIGHTS, the government structure didn't tell Man anything new, but blasphemously only interprets for him that which characterized every thinking being down through the centuries, and not only Man, but every living thing. And whereas spontaneous Man asked only himself, the "God within him," whether to act one way or another, now he must ask for PERMISSION FOR FREEDOM OF SPEECH OR ACTION from some bookworm, from some bureaucratic soul. And bureaucrats, it's clear, will always find a plethora of paragraphs and pseudolegal loopholes in order to forbid Man to realize his will.

An example — the present situation.

If you wish to leave, you are an enemy of the State. But a state is my voluntary agreement with others; it clearly follows, then, that I can create a state and also dissolve it. And if others wish to retain it, this does not give them the right to keep me in the mousetrap of their will, for they themselves turn into jailers and slaves.

If you think differently, you are an enemy of the State.

Does the State have SOME IMPERATIVE THOUGHT, which should guide the way all people think?

An idea is lightning! How can it be brought into line with a canon? Whoever says that he thinks AS THE STATE DEMANDS, does not think at all, for to repeat, as might a monkey, another's thoughts — even though they be brilliant — is TO BECOME A PARROT, A PHONOGRAPH RECORD.

The essence of all these ideas is that we must, without fail, return man to his status as the SUBJECT OF LAW, which is attested to in Article 6 of the Universal Declaration of Human Rights, and act according to the WILL OF THE SUBJECT, and not acording to a paragraph of a statute created to obscure the LAW, rather than to fulfill IT.

Therefore, all declarations in the constitution, international legal documents and the like, concerning Human Rights, should not be viewed as the RIGHT OF A BUREAUCRAT TO ALLOW me this or that, but as the Right of Man to turn the sword of Law on the bureaucrats when one or another of them does not allow the LEGAL ASSERTION OF THE WILL OF THE SUBJECT. (We, of course, are not speaking here of those impingements by the Subject, upon others, upon their RIGHTS, impingements that are clearly criminal.)

Concretely, we demand:

— Freedom to leave one's homeland and to return;

— Freedom to disseminate one's ideas and to get acquainted with the ideas of other people;

— Freedom to form creative, artistic, philosophical and scientific associations and to dissolve them;

—Freedom to take part in the formulation of the consciousness of the people and in the affairs of state;

— Freedom to work toward the unification of the Spirit of Man, based on the principles of Brotherhood, Love and Reason.

*****

Man is a wondrous Flower of Evolution. His mission — to unite a world fragmented since creation, into a Magic Wreath of Beauty and Harmony. In the way of the realization of this idea stands the spirit of militarism, of present-day imperialism, of chauvinism. In these menacing times, when the ecological, demographic, energetic and economic balance of the Planet has been catastrophically disturbed, we cannot do without the amicable, selfless, sincere actions of all peoples and individuals.

State structures which do not understand or which do not want to understand the horror of the situation, or which, though understanding, criminally ignore it — such structures are enemies of Evolution, and, as such, of all of Humankind.

Therefore, the violation of the RIGHT OF NATIONS to self-determination, to a sovereign spiritual life, as well as the violations of the Human Right to sovereign expression of one's will, are VIOLATIONS OF COSMIC LAW. A state structure that is guilty of such violations is an enemy of all of Humankind and falls under the merciless verdict of history — *erasure from the Stone Tablets of the Future, eternal* shame and damnation.

We are puzzled by the calm and indifference with which statesmen of certain countries react to repressions in countries that signed the Helsinki Accords. It is clear that mockery of Human Rights is a routine occurrence for all states, but such indifference should not have a place in the 20th century, for we are on the threshold of the Cosmic Birth. Even one cruel, vandal act against any single Individual could be decisive on God's Cosmic Judgement Day!

Can it be that anyone would find it pleasant to become renowned as a present-day inquisitor and tyrant? Would it not be more pleasant and more humane to open the prisons, eliminate censorship, disperse the informers and provocateurs, dispel the fear that has enveloped the soul of the people and prevents them from spreading their shoulders to full width and rushing forward toward evolutionary renewal?!

UKRAINE OF THE YEAR 1977 PROPOSES:

— That all political prisoners be freed, that all corresponding articles in the criminal codes of the [Soviet] Union and the Republics be eliminated.

— That the borders of the country be opened to free exit and entry.

— That channels be opened for the free flow of information — scientific, artistic, literary, personal and any other kind that does not infringe upon Human Rights.

— That censorship, as an institution that is a relic of feudalism, be eliminated for all time, transferring to publishers the right to withhold all military and pornographic publications from book and other markets.

— That capital punishment be eliminated, as a manifestation of the criminality of state structures. The state CANNOT GIVE BIRTH TO LIFE, IT DOES NOT HAVE THE RIGHT TO TAKE IT AWAY.

— That the very idea of killing be condemned at the level of the United Nations, thus branding all states and persons that desire to further their designs through killing (wars) as enemies of Humankind who have no right to enter into a Common Future.

— That all armies (except internal peace forces) be eliminated within the next few years and an All-Planetary Brotherhood of Peoples be created, based on the United Nations.

— That economic, ecological, demographic and cosmological problems be resolved through common effort.

It is time to awaken from the bureaucratic somnolence, to realize that a problem of one human being is a problem for all Humankind, and in all our actions to start from this BASE, COMMON TO ALL.

UKRAINE OF THE YEAR 1977, filled with the most sincere aspirations, desires and wishes, sends to the brotherly peoples at the Belgrade Forum its Greeting and Love!

UKRAINIAN PUBLIC GROUP TO PROMOTE THE IMPLEMENTATION OF THE HELSINKI ACCORDS.

February 15, 1977

/Signed:/ ***Oles BERDNYK***
Petro HRYHORENKO
Oksana MESHKO
Levko LUKYANENKO
Ivan KANDYBA
Nina STROKATA
Mykola MATUSEVYCH
Myroslav MARYNOVYCH

MEMORANDUM NO. 6

Concerning the So-Called "Internal Affairs" of a State

In response to the arrests of the leaders and members of the Ukrainian and Moscow Public Groups, the sea of World Conscience stirred. Today it is no longer possible to oppress with impunity the fighters for Law in any country, for on the horizon of History, Nuremberg[1] looms to this day, menacingly warning all potential tyrants.

Having usurped the constitutional prerogatives, the bureaucratic structure of the USSR attempts to save its unlawful privileged position by labelling all international protests against arbitrariness as "interference in the internal affairs" of the Soviet state.

If this juridical thesis were to be accepted as the basis for international activity, then present-day tyrants of the East and West would thus be granted the right to suppress, with no hindrance, freedom of thought and action, thus bringing to a stop Humankind's progression toward a World of Justice.

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[1] Reference is to the post-World War II war-crimes trials of Nazi leaders, held in this German city.

The lawful person (the subject of the Law) in the internal life of a state is Man. The lawful person (the subject of Law) in international relations is the State. This is generally known. But if a State, in its internal life, tramples on the interests and rights of its citizens, such a country is suspect and cannot be trusted in the least, for in its laws it declares one thing, but in practice does something totally different.

Masquerading behind the fiction of "internal affairs of the state," the repressive organs of our country imprison creative and thinking individuals, fighters for Law and independent cultural activists, plunder literary and scientific archives, destroy the works of writers who are not to their liking, completely control correspondence, deprive "disobedient" individuals of their jobs, install electronic surveillance devices in apartments and offices, persecute these and other people with the help of provocateurs, agents and informers, fabricate "criminal cases" against dissenters, do not give the persecuted an opportunity to emigrate to another country, etc. This entire bouquet of lawlessness, this total disregard for the Universal Declaration of Human Rights and the Helsinki Accords, is covered over with the formula of non-interference in "internal affairs"...

Of course, for the old Stalinists, who (because the task of censuring the personality cult was not brought to conclusion) still abound in the judicial-investigative organs and in the KGB and who are accustomed to working in the dark of night and in total secrecy from the Soviet and world public, attempts to act in the spirit of the Helsinki Accords and to make public facts about violations of Human Rights constitute interference in their internal affairs. However, [pre-trial] investigation-solitary confinement cells, prisons, [concentration] camps — these are not the internal affairs of the KGB or the MVD,[2] they are the affair of all Soviet peoples, the affair of all of Humankind. If the Soviet peoples are not indifferent to the fate of Chilean patriots and if mass rallies of workers in the USSR in their support are not interference in the internal affairs of Chile, then, by the same token, mass rallies of citizens of Western countries in support of Soviet and, particularly, Ukrainian fighters for the realization of the Helsinki Agreements, do not constitute interference in the internal affairs of the USSR.

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[2] The Ministry of Internal Affairs, which is in charge of the procuracy, various police functions and the administration of the labor camp system.

Indeed, international solidarity in defense of Law is the most beautiful symbol of our era! It is the harbinger of a New World of Love and of a Single Spirit of Humankind, which is being born in the social earthquakes of the 20th century!

Nations of the World, nations of the Belgrade Forum! We appeal to you — demand an answer from the usurpers of the Law, wherever they may appear! Arbitrariness and lawlessness cannot be permitted to rage on Earth just before the dawning of a World of Unity! The struggle for Human Rights is not the internal affair of this or that state, it is THE INTERNAL AFFAIR OF A UNITED MANKIND!

Freedom to the courageous Fighters for Law!

**UKRAINIAN PUBLIC GROUP TO PROMOTE THE
IMPLEMENTATION OF THE HELSINKI ACCORDS**

February 21, 1977
Kiev, Ukraine

/Signed:/ *Oles BERDNYK*
Petro HRYHORENKO
Oksana MESHKO
Mykola MATUSEVYCH
Myroslav MARYNOVYCH
Ivan KANDYBA
Levko LUKYANENKO
Nina STROKATA

The signed original is in the Archives of the group.

MEMORANDUM NO. 7

The Ukrainian Group To Promote: The First Four Months

On March 9, 1977, the Ukrainian Group to Promote [the Implementation of the Helsinki Accords] marked the first four months of its existence. In our "Declaration" and "Memorandum No. 1" we announced the basic principles of our activity and defined our mission as a MOVEMENT IN DEFENSE OF RIGHTS, directed at correcting bureaucratic and other distortions and abuses, which are unavoidable in a society with an immature democracy or a dictatorship.

Human Rights encompass a very wide spectrum of thought, feelings and actions. Therefore, we indicated that in giving priority to the humanitarian aspects of the Helsinki Accords, the group would also note violations of rights in the social, economic and national spheres of the life of the Ukrainian people.

In our "Declaration" we stated that it is an absolute necessity that Ukraine participate in all agreements of European countries as a sovereign state, a member of the United Nations. There can be no reasonable alternative to this demand. (Incidentally, it must be noted that other European Republics of the [Soviet] Union find themselves in the same situation: Byelorussia, Moldavia, Latvia, Lithuania, Estonia, and the largest Republic of the USSR, the Russian Federation. They too have never been represented at European conferences by separate delegations. In addition to this, Latvia, Lithuania, Estonia, Moldavia and Russia, as well as the Asian Republics of the Union — Georgia, Armenia, Azerbaijan, Turkmenistan, Kazakhstan, Kirghizia and Tadzhikistan — are not even members of the UN. Actually, it is a startling fact that one of the largest nations in the world, the Russian nation, is not a member of the UN, along with the other above-mentioned nations. This is, after all, a passing observation, but a bitter observation, one that supports the conclusion that the problem of RIGHTS AND MUTUAL RELATIONS OF THE REPUBLICS OF THE USSR is totally unresolved!)

We also declared our desire to struggle to increase the consciousness of Law among broad masses of the Ukrainian people, in the hope that by the joint efforts of fighters for Law and World Opinion we would succeed in overcoming the opposition of the bureaucratic structure and the various repressive organs in the area of violations of the law.

In "Memorandum No. 1" we outlined the wide-scale violations of law in our republic, which are continuing to the present day, despite the exposure of the crimes of the Stalin and Beria "eras." We tried to bring to the attention of the world community the fact that the sharpest edge of the repressions and terror that the punitive organs can bring to bear has been turned against the people who defend spiritual sovereignty in the various spheres of the nation's creative life. This constitutes a scandalous violation of the constitutions of the USSR and the UkrSSR, the Universal Declaration of Human Rights, the Helsinki Accords and other international pacts ratified by the Supreme Soviet of the USSR.

We presented a list of several score prisoners of conscience (in actuality there are thousands of them!) — honest, selfless, courageous workers in the fields of culture, science, religion, who languish in prisons and [labor] camps on the territory of neighboring republics, something unheard of in the practice of international law.

But before we could publish our documents, the procuracy of the city of Moscow, in cooperation with the Ukrainian KGB, directed a blow against us: during the night of December 23-24, 1976, searches were conducted in the apartments of group members M. Rudenko (Kiev), O. Berdnyk (Kiev), L. Lukyanenko (Chernihiv), O. Tykhy (Donbas) and I. Kandyba (Lviv). During these searches all of the group's documents were confiscated, as were literary and epistolary archives. At the same time, hard [foreign] currency, pornographic materials and weapons were planted, which compelled us to predict in a written protest to the Procurator of the USSR that some kind of provocation was being planned against the members of the group; this became substantiated later.

In our letter, addressed to the world community — to PEN International, to Western Communist parties, etc. — we voiced our concern that the fierce attack on the Ukrainian Group to Promote — dead-of-night searches, threats, surveillance by agents — even when taken separately from other facts, was proof of the complete disregard by the bureaucratic structure of the USSR of those commitments which our country accepted in signing the Helsinki Accords. This indisputable fact forced us to continue our activity with even greater resolve.

In "Memorandum No. 2" we again pointed out the necessity of Ukraine's participation in the Belgrade Conference in 1977 as a sovereign European state.

In "Memorandum No. 3" we illustrated the violations of the freedom of conscience in our republic, using as an example the tragic fate of Yosyp Terelya, a Catholic Christian who has spent half his life in [labor] camps and psychiatric hospitals, and now wanders from place to place in search of somewhere to stay and a job, always under the never-sleeping eye of the KGB.

Hundreds of letters and complaints from all corners of Ukraine began to pour in to the members of the group as soon as people heard about its formation. This in itself is evidence of the scale of the violations of law in Ukraine. We were preparing a detailed report on all this for the Government of the UkrSSR and the participants of the Helsinki Conference. But the KGB organs decided to inflict a sudden blow: on February 5, 1977, Mykola Rudenko, the head of the group, was arrested, as was group member Oleksiy Tykhy, in whose "case" the search warrants were issued. In this instance the organs of the KGB and the procuracy of Donetsk Region (the search warrant was signed by the assistant procurator of Donetsk Region, Noskov, and approved by the Deputy Procurator of the Republic, Samayev) cleaned out M. Rudenko's entire literary archives, taking away even his scientific works on economy and cosmogony.

That same day searches were conducted at the aprtments of group members Oksana Meshko and Nina Strokata, as well as M. Marynovych and M. Matusevych, and the homes of their parents and relatives (see attached supplement to the memorandum).

For three weeks the KGB did not allow M. Rudenko's wife to bring him indispensable articles or any food to solitary confinement interrogation cell No. 1 in Donetsk. (In addition, for the first four days she was told absolutely nothing about the poet's fate.)

Neither the wives nor the friends have yet been informed of the ACTUAL CHARGES BROUGHT AGAINST M. RUDENKO AND O. TYKHY, despite the fact that all members of the group and dozens of their friends have been called for questioning to the Donetsk Administration of the KGB and the Ukrainian KGB in Kiev.

Through all of these interrogations there runs like a red thread the implication that the arrested men have been called to account not for the creation of the Group to Promote, but for SOMETHING SECRET, MYSTERIOUS, ABOUT WHICH THE OTHERS KNOW NOTHING.

We categorically state that the interrogating organs do not have and cannot possibly have any materials that discredit those arrested, aside from the group's documents, which are totally legal and which have been submitted for publication. Furthermore, we call the attention of the Procurator of the UkrSSR and of lawyers of all countries to the gross violations of procedural law in the prosecution of this "case," specifically, of Article 116 of the Code of Criminal Procedures of the UkrSSR, which requires that the investigation be conducted in the place where the accused and the majority of the witnesses live. Conducting the investigation in Donetsk is a legal absurdity or [an act of] investigative cowardice, an attempt to remove a judicial reprisal against a poet and thinker from the capital of the republic to outlying districts.

In recent days a new wave of repressions has rolled over Ukraine. In Odessa, art expert Vasyl Barladyanu has been arrested, and searches have been conducted in the apartments of his wife, the Siry[4] family with its many children, and two other families, who had appealed several times to the Group to Promote with complaints about flagrant violations of the law with respect to them. Thus, not only the activity of the group, but even contact with it is considered a crime!

Quick as lightning, Vira Lisova, the wife of political prisoner V. Lisovy, and Nadiya Svitlychna were fired from their jobs; they were thus deprived of all means of subsistence, merely for their acquaintance with members of the group. N. Svitlychna has also been threatened with trial because she is not yet registered for her apartment after being released from a camp (this, although she has been repeatedly denied her legal right to do so).

In its "Memorandums" Nos. 4, 5 and 6, in letters to the countries that will participate in the Belgrade Forum-77, to PEN International, to the leaders of the USSR, etc., the Group to Promote has called the attention of the world community to the complete lack of any guarantees in defense of Law in Ukraine, which proves that the bureaucratic structure of the USSR and the organs of state security have usurped the constitutional prerogatives of the Soviets [Councils] of Workers' Deputies, and that, because of this, the country's Fundamental Law [the Constitution], and even more so the international agreements on Human Rights are not being implemented.

What now? Will the movement in defense of Law be destroyed with the tacit approval of the signatories of the Helsinki Accords, accompanied only by the sorrowful shaking of heads?! Or will the Belgrade Conference-77 call to account those that violate laws and rights?!

We do not consider that world public opinion should painfully react to EACH violation of the law in our contry — every nation is full of its own troubles, similar to ours! Such a reaction would be senseless and even dangerous to the movement in defense of Law, for it would make this movement dependent on unknown forces and influences, tearing it from its natural roots, from the evolutionary development of the nation's own consciousness of Law. The guarantee and the rights must be established HERE, by demanding the unswerving implementation of the laws of the UkrSSR and the USSR.

This is why we are filled with determination to see our uneven struggle to the end, in the sincere belief that the national will, sooner or later, will establish the Rule of Law in all spheres of thought, creativity and action.

UKRAINIAN PUBLIC GROUP TO PROMOTE THE IMPLEMENTATION OF THE HELSINKI ACCORDS

March 15; 1977

/Signed:/ *Oles BERDNYK*
Petro HRYHORENKO
Oksana MESHKO
Levko LUKYANENKO
Myroslav MARYNOVYCH
Mykola MATUSEVYCH
Nina STROKATA

SUPPLEMENT TO MEMORANDUM NO. 7

As we have already reported, on February 5, 1977, organs of the KGB, in addition to arresting M. Rudenko and O. Tykhy, conducted searches in the homes of many members of the Group to Promote and their relatives.

In the apartment of M. Rudenko (Kiev) the literary and scientific archives were completely devastated (a volume of poetry, consisting of some 50,000 verses; the manuscript of a science fiction novel; philosophical works on economy, cosmogony, etc., were confiscated). M. Rudenko's wife, his son Yuriy, and writer O. Berdnyk, a member of the group whose literary archives were also almost completely confiscated, were subjected to body searches.

In the apartment of group member O. Meshko the KGB conducted not so much a search as a pogrom. Investigator Pankov (of the Kiev Procuracy) entered the premises like a true bandit — he broke in through a window. All books and things were turned upside down, letters and manuscripts were confiscated wholesale, with no listing of their contents.-"All the trash," as Pankov expressed himself. A body search of O. Meshko was conducted forcibly: the investigator held her arms fast while two women searched her.

A search was conducted at the apartment of Nina Strokata, a group member who lives in exile in Tarusa (the RSFSR).

In Drohobych, a search was conducted in the apartment of M. Marynovych's mother, L. I. Marynovych. A warrant was issued separately in the names of Marynovych and Matusevych, who live elsewhere and were only visiting. The action took place at night. Inasmuch as Matusevych and Marynovych protested against a body search, they were taken to police headquarters, where the search was made; they were refused a record of the proceedings. Agents of the organs (KGB) acted as witnesses.

A search was conducted in the apartment of Matusevych's sister Tamila (Kiev), who had been arrested in Vasylkiv and brought to Kiev. Letters, documents, the book *Mech Areya* [The Sword of Arey],[1] a camera and a photoenlarger were confiscated. The home of Matusevych's mother, Anastasiya Fedorivna (in Vasylkiv), was searched. She was arrested at the school where she teaches. At the time of the search her eight-year-old grandson was not allowed to go for a walk. On that same day a search was conducted at the home of Marynovych's wife, Rayisa Serhiyivna Serhiychuk (village of Kalynivka, Vasylkiv District). During the search she was not allowed to feed her nine-year-old daughter or to go for a walk.

A search was conducted at the apartment of Matusevych's wife, Olha Dmytrivna Heyko, "in connection with the case of O. Tykhy." She and a guest, Y. Badzyo, were subjected to body searches.

The dacha of the Matusevych family was searched (village of Shevchenkivka, Vasylkiv District) in the presence of Matusevych's father, Ivan Petrovych, who had been brought there from his apartment in Vasylkiv.

A search was conducted in the home of the parents of Matusevych's wife, Heyko and Sushan (Kiev). The mother, Anna Ivanivna Sushan, was brought to a state of unconsciousness and, as a result, the search was conducted without an order from the procuracy and without a record being compiled.

During all these searches, hundreds of objects were confiscated — books, manuscripts, notebooks, letters, etc. In all cases extremely brutal violations of procedural law were noted.

UKRAINIAN PUBLIC GROUP TO PROMOTE THE IMPLEMENTATION OF THE HELSINKI ACCORDS

March 10, 1977

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[1] Ivan Bilyk's historical novel *Mech Areya* (The Sword of Arey), was removed from Soviet bookstores and destroyed shortly after its publication in 1972 because it idealized the beginnings of the Ukrainian nation.

MEMORANDUM NO. 8

Concerning the Persecution of V. Lisova, Wife of a Political Prisoner

The name of V. [Vasyl] Lisovy — philosopher, courageous champion of Law — is known to the world community. He is suffering in the camps of Perm Region for having selflessly defended his countrymen sentenced for their beliefs.

Here we would like to draw the attention of the Washington [-based] Committee to Promote the Implementation of the Helsinki Accords in Ukraine[1] and the participant countries of the Helsinki Conference to the difficult situation of the wife of this political prisoner, Vira Lisova, and her two children, a situation in which she finds herself deprived of all rights. For many years, being out of work, she led a beggar's existence. Finally, she received temporary work. But still she had no peace: collaborators of the KGB regularly broke into her apartment, terrorizing her psychologically, threatening and frightening the children.

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[1] The actual name of this Washington-based group is the Helsinki Guarantees for Ukraine Committee.

After her letters in defense of her husband, written to the French Communist Party and other organizations, the organs of the KGB became rabid. On March 4 of this year she was ordered by phone to come to the Ukrainian KGB in Kiev for a conversation. She refused. That same day a messenger brought a notice summoning her to appear on March 5 as a witness, not, however, before a case examiner, but directly to the Ukrainian KGB. She refused, on the basis that the summons, from a legal standpoint, was groundless.

On March 9, while she was at work, an operative of the Ukrainian KGB, who refused to give his name, called her into the office of the deputy director of the Institute for the Organization of Labor and Modernization of Industry. He ordered the administration officials to leave and began to try to break her down psychologically.

Here are some gems of his expressions: "You are an indecent woman! You take part in nationalist activities, just like your husband! You pass information abroad." (This was a reference to a letter to G. Marchais). "You were at the sendoff for Amalrik. You kept contact with Rudenko. You reproduced copies of your husband's 'Open Letter.' You receive packages and help from nationalist sources. If you have the conscience of a Soviet person, give them up!"

V. Lisova answered that if the packages were from hostile sources, the KGB could prohibit their delivery. The collaborator of the Ukrainian KGB replied that they have no such power, but that she herself was obliged to do so.

"You bitterly hate the KGB and the Soviet government. You live in an environment that is hostile. We fight for you. We will be reporting to the procurator. We can imprison you, but we feel sorry for you."

V. Lisova walked out of the office in a terrible frame of mind. After taking medication, she went to the procurator of the Republic who oversees the KGB, where she wrote a statement about all this. The procurator promised to pass on her statement to the KGB for "review." At home V. Lisova fell seriously ill. Emergency aid personnel diagnosed a pre-heart failure condition. Rest and treatment were prescribed.

The following day — more calls from the KGB and promises to continue the "conversation" after her recovery. The personnel office of the Institute informed her that she was fired and that same day brought to her home her job registration book.

Thus, V. Lisova — the mother of two children, a sick and unprotected woman — finds herself without work, without any means of subsistence, and under the Damoclean sword of the KGB. A tyrannical, power-hungry despot and complete lawlessness exult triumphant. When V. Lisova promised to put in a complaint with V. Fedorchuk, chairman of the Ukrainian KGB, she received the cynical reply: 'Be sure to write also to Andropov!"

We will stop right here! These facts are sufficient to illustrate the revelry of lawlessness in Ukraine.

UKRAINIAN PUBLIC GROUP TO PROMOTE THE IMPLEMENTATION OF THE HELSINKI ACCORDS

March 11, 1977

/Signed:/ ***O. BERDNYK***
O. MESHKO
L. LUKYANENKO
I. KANDYBA
N. STROKATA
P. HRYHORENKO

MEMORANDUM NO. 9

TO THE PROCURATOR OF UKRAINE:

Concerning the Gross Violations of Law in the Investigative "Case" of M. Rudenko

The Procuracy of Ukraine sanctioned the arrest of the poet M. Rudenko, the leader of the Group to Promote (Helsinki) in Ukraine. According to Article 116 of the Code of Criminal Procedures of the UkrSSR, an investigation must be conducted where the suspect or the majority of the witnesses reside, or where the crime took place. Taking into account all of the points specified in the CCP, the investigation should be conducted in Kiev.

Why has procedural law been violated? Of what concern is the formation of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords to the Donetsk KGB Administration and to its senior investigator, Nagovitsyn, who is in charge of the investigation and who summons dozens of people to Donetsk from Kiev, Chernihiv, Lviv, etc.

It seems that what we see here is juridical abuse on the part of the organs of repression, which are preparing a reprisal against the poet in secrecy from the citizenry of Ukraine. Inasmuch as the subject of discussion is the movement in defense of Law in the Republic, our group demands adherence to all procedural norms and an open trial. We feel that the Ukrainian KGB in Donetsk HAS NO RIGHT to summon witnesses in a case involving the group, since the nucleus of the group is in Kiev. We ask you to point out this gross violation of the law to the security organs.

UKRAINIAN PUBLIC GROUP TO PROMOTE THE IMPLEMENTATION OF THE HELSINKI ACCORDS

March 18, 1977 /Signed:/ *Oles Berdnyk*

MEMORANDUM NO. 11

TO: THE GOVERNMENTS OF THE COUNTRIES THAT PARTICIPATED IN THE HELSINKI CONFERENCE,
SOVIET AND INTERNATIONAL PUBLIC ORGANIZATIONS:

On the Fate of Nadiya Svitlychna

On May 18, 1976, the well-known Ukrainian activist Nadiya Oleksiyivna Svitlychna returned after four years' imprisonment in the camps of Mordovia.* She had been sentenced for having the boldness to criticize her own government, which she had helped to elect; for considering it her inalienable right to have convictions of her own; and for not wanting to believe that, in our times, with that right came a corresponding duty to serve a sentence for "anti-Soviet activity" (Article 62 of the Ukrainian SSR Criminal Code).

Nadiya Svitlychna served a sentence for a crime she did not commit. She served it in full and, according to all earthly laws, has the right to be considered a full-fledged member of society. Soviet law is even called upon to assist in returning the punished offender to a normal life as promptly as possible. What new crimes has Nadiya

Svitlychna committed that those laws do not apply to her? How is she dangerous to Soviet rule that after spending four years in strict-regime camps she is subjected to psychological torture that is even more horrible. And we are about to prove that it really is torture.

1. After her release N. Svitlychna was directed in writing to go to where she had lived before her imprisonment and where she had had a residence permit, that is, the Kiev apartment of her brother, Ivan Oleksiyovych Svitlychny, who is presently serving a sentence under the same article of the Criminal Code of the UkrSSR, and his wife, Leonyda Stepanivna Svitlychna. On June 15, 1976, she was issued a passport,[1] i.e., she became a full-fledged citizen of the UkrSSR. But her application for permission to reside in the city of Kiev was turned down on the pretext that there was a lack of living space (the apartment in which four persons had lived before [her] imprisonment has an area of 28.4 square meters). This refusal contradicts the USSR Council of Ministers' decision of August 28, 1974, "On the System of Passports," which to this day has not been reversed. An excerpt from the above-mentioned document, "Concerning Some Rules on Residence Permits for Citizens," follows:

> *1. Be it decreed that in cities and in urban-type villages residence permits are issued regardless of the size of the living space to. . .*
>
> *(a) Persons who have been released after having served a sentence in the form of deprivation of freedom, exile, expulsion. . .[for] that living space which is occupied by members of their families or relatives with whom they had lived before sentencing.*
>
> *(The journal Sotsialisticheskaya zakonnost, [Socialist Legality], No. 12, 1974, p. 70*

Here is an incomplete list of offices to which N. Svitlychna appealed with her complaints: the passort desk in the Internal Affairs Administration of the city of Kiev, the

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[1] Refers to an internal Soviet passport, which is issued to all citizens over the age of sixteen and which serves as a certification of personal identity.

Ministry of Internal Affairs of the USSR, the Presidium of the Supreme Soviet of the USSR, the Central Committee of the Communist Party of the Soviet Union, and personally to the General Secretary of the Central Committe of the CPSU, L. I. Brezhnev, the district procuracy, and the procuracy of the city of Kiev. The reply to her complaints was one and the same, "To be denied in connection with lack of living space."

At last, the very same conclusion was reached by Kiev's city commission on residence permits, whose decision, according to the law, is not subject to review by the procuracy. The secretary of the Municipal Council, a Comrade Zahrebsky, who is also the head of the above-mentioned commission, explained in a conversation: "Your sister-in-law, Leonyda Svitlychna, may remarry, and then friction might arise between you and her hypothetical husband. We cannot contribute to such incidents." This sentence is in practice the law, whereas the decision of the Council of Ministers of the USSR, as Zahrebsky and his like prove successfully, carries weight only as yet another opus in the realm of Soviet [literary] fantasy.

2. Since December 8, 1976, after seven months of unemployment, N. Svitlychna had been working as a yard cleaner and gardener at Kindergarten No. 164 in Kiev, although she has a higher education. On March 16 [1977] she was dismissed from this job because of lack of a residence permit; furthermore, the directress of the kindergarten was fined fifty rubles. Thus, Nadiya Svitlychna, a full-fledged citizen of the USSR, was de facto deprived of the right to work, which she is guaranteed by the Constitutions of the USSR and the UkrSSR.

3. N. Svitlychna's seven-year-old son, Yarema Svitlychny, now lives with his mother and also does not have a residence permit. In May 1972, after N. Svitlychna's arrest, he was forcibly taken to a children's home, about which none of his relatives were notified for ten days. The commission on child care of the District Executive Committee approved the decision not to entrust the upbringing of the then two-year-old Yarema to his grandmother because of her advanced age and small pension — 20 rubles [per month]. Against Nadiya Svitlychna's will, that is, illegally,

guardianship was instead given to her sister, who lives in the city of Voroshylovhrad. At that time Yarema was deprived of his residence permit in Kiev, which, too, is a violation of the law, for he was not serving a sentence with his mother.

Now, because Yarema Svitlychny is not registered [in Kiev], he has been deprived not only of his right to an education, but also of his right to medical care. The district hospital refused to give Nadiya Svitlychna, as his mother, a certificate for the care of her son that, according to the law, guarantees payments, and issued only a certificate without the right to payment. Furthermore, evidently having forgotten her Hippocratic oath, the directress of the hospital's [pediatric] section snapped roughly: "I am giving you a paper for three days. Don't count on any more." They also refused to issue to Leonyda Svitlychna a paper for the certificate to allow extension of care for her nephew.

4. In September 1978, police authorities raised questions about Svitlychna's "malicious evasion" of registration for a residence permit, which, according to Article 196 of the Criminal Code of the UkrSSR, is punishable by deprivation of freedom for a term up to two years. It is impossible to regard such actions of the authorities as anything other than cynical and sadistic mockery of a human being, because all of Svitlychna's efforts after her return from camp had been aimed precisely at obtaining a residence permit.

The above-mentioned article of the Criminal Code of the UkrSSR requires two official warnings from police officials and a meeting of the commission, which turns the matter over to a court. The first warning to Nadiya Svitlychna occurred at the beginning of October 1976. The second was in December of the same year; moreover, Leonyda Svitlychna paid a fine for "illegally" registering Nadiya Svitlychna at her apartment. The commission's session took place March 16, 1977, the results of which are yet unknown. But it is quite evident that under the conditions of a campaign of terror thought out to the smallest details, sooner or later the commission and, after all, the court will render their shameful verdict. We neither want to remain silent witnesses of this, nor can we be.

From all the aforesaid it follows that: The governments of the USSR and the UkrSSR are powerless to observe the laws that they themselves established and the decisions of the authorities, and they themselves refuse to abide by them. The government of the USSR is flagrantly violating the [Universal] Declaration of Human Rights and specific provisions of the humanitarian section of the Final Act of the Helsinki Conference, both of which have been signed by it.

We demand that the governments of the USSR and the UkrSSR immediately reestablish legality in the matter of a residence permit for Citizen Nadiya Svitlychna and her employment in a position commensurate with her profession and education.

If such a reestablishment of legality appears to be beyond the powers of the governments of the USSR and the UkrSSR, then we demand that the Presidium of the Supreme Soviet of the USSR decide as soon as possible the question of the emigration of Citizen Nadiya Svitlychna.

We call on the governments of the countries that participated in the Helsinki Conference to demand from the USSR government explanations regarding its flagrant violations of the Final Act of this Conference.

We call on all Soviet and international organizations, all honest people in the USSR and abroad to come to the defense of Nadiya Svitlychna, a victim of administrative arbitrariness.

March 20, 1977
Kiev

/Signed:/ ***Oles BERDNYK***
Ivan KANDYBA
Oksana MESHKO
Petro HRYHORENKO
Lev LUKYANENKO
Myroslav MARYNOVYCH
Mykola MATUSEVYCH
Nina STROKATA

USSR-Ukraine

Kiev, December, 1977

On Discrimination Against Ukrainians Who Wish to Emigrate from the U.S.S.R. (Memorandum Number 18 of the Ukrainian Public Group)

The question of emigration from the U.S.S.R. has always been a sensitive one for the leadership of the Soviet Communist Party. It portrayed the Bolshevik Revolution to all the world as an event toward which the working classes of all countries of the world have striven since ancient times and which was finally realized in what was once the Russian Empire.

According to such claims, the Bolshevik Revolution -- for the first time in the history of mankind -- brought to life the brightest ideas of the philosophers, economists and social reformers of yesterday and destroyed an evil that went back to time immemorial -- the exploitation of man by man -- ended social antagonism, ensured the highest possible rate of economic development, created the conditions for the all-around development of the individual, and so on and so forth. In a word, the revolution created on our sinful Earth that which, until then, had existed only in dreams.

USSR-Ukraine

Inasmuch as the Bolsheviks saw themselves as the ideological heirs of the Communist Manifesto, the Paris Commune and the First International, they viewed their victory and their order as the paradigm for all other countries of the world and -- in accordance with the idea of proletarian internationalism -- yearned to bestow this fortune upon others. To this end, immediately after the revolution, they turned to a systematic, persistent and ever-widening campaign of glorifying their actions aimed at restructuring all aspects of social and family life and the Soviet order. Communist parties, formed in dozens of developed countries, helped to create in their countries the myth of the ideal nature of Soviet society. And the fact that people did not emigrate from the Soviet Union served to support the idea of the perfect Soviet order.

Indeed, no one flees from paradise. People leave places where things are bad. "Emigration," according to the dictionary of foreign words, "is 1) a mass migration from one country to another, caused by various reasons (economic, political, religious and others); an unavoidable companion of an exploitative society" (State Publishing House of Political Literature, Kiev, 1955).

Because the Soviet Union is not an exploitative society, emigration is uncharacteristic of it. There is also no reason for emigration for national reasons, because the national issue has been decided in the most just manner once and for all. This is how matters looked in the language of communist propaganda. And so that living witnesses would not refute it, the borders were sealed tight.

For half a century, the West listened to odes to the great achievements of the free Soviet peoples and citizens, while within the Soviet Union brave fugitives, caught in border traps and on barbed wire fences, went silently into the GULAG "archipelago" for 10-15 years.

The situation changed in the 70's. As a result of widening international contacts, it became impossible to lock people secretly away in prisons. In dictionaries there appeared a definition of the word "emigration" as "the departure to another country for permanent or temporary residence" (Political Dictionary, Kiev, 1976), a definition which no longer contradicts the right, declared in international law, of a citizen to leave his country freely and return to it again.

The present leadership no longer labels as treason a person's desire to emigrate and no longer puts people on trial for merely expressing such wishes, but it does employ many means to lessen emigration and to destroy the inclination towards emigration. In addition, we discern a different approach on the part of the government to three different categories of citizens who are potential emigrants -- Jews, Russian dissidents and non-Russian freethinkers.

For Jews who have expressed the wish to go to their historic homeland, the government creates many varied unpleasant experiences and sometimes completely unbearable living conditions, but in the end lets the stubborn ones go. It expels the "incorrigible" Russian dissidents from the Soviet Union. And it puts non-Russian dissidents behind bars.

The Soviet state signed the Universal Declaration of Human Rights and the Final Act of the Helsinki Conference. Both of these celebrated documents declare the right of citizens to emigrate, regardless of nationality, but the leadership of the U.S.S.R. takes a plainly discriminatory approach to applications for emigration, basing its decisions on national identities.

We are outraged that the government transforms the natural yearnings of Jews for the homeland of their ancestors into an ordeal of difficult, testing experiences. We are outraged that it attempts to depict to Soviet citizens the banishment of Russian dissenters from the Soviet Union as the expulsion of unworthy persons. But we are most outraged by the discrimination on the basis of national identity, manifest in the total denial of the right of non-Russian freethinkers to emigrate from the Soviet Union.

Leaving aside the question of discrimination against us Ukrainians in other areas of life, we point out that in terms of emigration, this discrimination is revealed in that, so far, not one Ukrainian freethinker has received permission to emigrate for permanent residence abroad.* Even in those cases where an individual has completed a sentence for an attempt to leave the Soviet Union and following release, continues to seek to leave, the government does not give him that possibility.

Here are a few examples:

Vitaly Vasylovych Kalynychenko tried to cross illegally the Soviet-Finnish border. He was captured and sentenced to ten years' deprivation of freedom. While imprisoned, he consistently and officially declared his intention to leave the U.S.S.R. after completing his term. Released in the spring of 1976, he immediately renewed his efforts -- he renounced his Soviet citizenship, wrote appeals, conducted a hunger strike from October 17 to October 26 -- but so far has not received permission to leave.

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*Leonid Plyushch, a Ukrainian political prisoner, was exiled to the West -- straight from confinement -- in January, 1976--Ed.

Yevhen Hrytsyak and the prominent Ukrainian writer, Oles Berdnyk, have sought permission to leave for nearly four years now. Also demanding permission to leave -- so far, with no success -- are Nadia Svitlychna, Nina Strokata, Ivan Kandyba, Levko Lukyanenko, Volodymyr Zatvarsky, Hryhoriy Prokopovych, Pavlo Kampov, Mykhaylo Lutsyk, Yosyp Terelya, Vasyl Ovsiyenko, Vadym Smohytel.

The unlawful refusal by the government to allow the opportunity of going abroad has pushed many onto the road of illegal border crossings; Ukrainians Apoloniy Bernichuk, Oleksa Murzhenko and Vasyl Fedorenko are now doing time in prison for this. Yuriy Dzyuba is now serving a four-year sentence of imprisonment for seeking to leave the U.S.S.R. for religious reasons.

Because of gross violations of the Universal Declaration of Human Rights in the U.S.S.R., and the creation of living conditions for freethinkers so difficult as to make even minimal productive activity impossible -- in community, national, literary, religious or other public areas -- a number of Ukrainian political prisoners, while incarcerated, declared their intention to emigrate following the completion of their terms of imprisonment. Specifically, they are Yuriy Romanovych Shukhevych, Ivan Oleksiyovych Svitlychny, Vasyl Omelyanovych Romanyuk, Dmytro Basarab, Dmytro Verkhovlyak, Oleksander Fedorovych Serhiyenko, Hryhoriy Herchak, Volodymyr Vasylyovych Vasylyk, Zinoviy Mykhaylovych Krasivsky, Ivan Shovkovy, Andriy Markovych Turyk.

Consider: after the arrest of three members of the Moscow Public Group -- Orlov, Ginzburg, Shcharansky -- and two of the Ukrainian/Group -- Rudenko and Tykhy -- two more members of the Group, Marynovych and Matusevych, were arrested in the Ukraine. Then the authorities sentenced Ukrainians Rudenko and Tykhy to 12 and 15 years' imprisonment, respectively; sentenced Barladyanu and arrested Terelya, but allowed Moscow Group members, V. Turchin and T. Khodorovich, and K. Lyubarsky, a human rights activist, to emigrate.** Furthermore, they arrested the Ukrainian Snehirov, but suggested that Moscow resident, Podrabinek, leave the U.S.S.R.

**(Turchin, Khodorovich and Lyubarski, while active dissenters, were not Public Group members, but Lyudmila Alekseeva, Vitali Rubin and Mikhail Bernshtam -- all Moscow Group members -- have been either allowed or compelled to emigrate.--Ed.)

USSR-Ukraine

Twelve and fifteen years of imprisonment and emigration are obviously totally different punishments. This enormous difference is a function of the peculiar differences between the human rights movement in Russia on the one hand, and in Ukraine on the other. In Russia it is directed against illegal restrictions of the democratic rights of citizens, while in Ukraine, it has these goals plus our own national problems. This plus makes the Ukrainian movement in defense of rights so especially dangerous in the eyes of powerful ruling bureaucrats with chauvinist Great-Russian dispositions, because it threatens to destroy the old propagandistic myth about all nationality problems having been perfectly resolved (for all future time) and to renew this discussion by a new generation of Ukrainians under new historical conditions.

Because the "sovereign" Ukr.S.S.R. has not established diplomatic relations even with the major European countries and the Ministry of Foreign Affairs of the Ukr.S.S.R. does not conduct normal business abroad, the emigration of a few dozen Ukrainian freethinkers would promote the familiarization of Western society with Ukrainian problems. The government of the U.S.S.R. knows this, and as we can see, does not wish to allow such familiarization. But inasmuch as the highest criterion of good and justice for the people of European civilization is not the well-being of the state but that of each individual, we demand that in the resolution of a conflict between the state and the individual, preference be given to the good of the individual and not the state. We believe, therefore, that no considerations of a propagandistic (prestige-oriented) order can provide satisfactory justification for the forced detention of an individual within a state.

Peace in Europe cannot be built on lies and the secret designs of the rulers of individual countries. Peace cannot be built on the oppression of peoples, for such a peace does not mean happiness for the oppressed and disenfranchised and they will strive to destroy it.

A strong and lasting peace is possible only with a just approach to the individual, including respect for his right to emigrate. The latter can serve as a means of resolving a conflict between society and the individual, where the individual cannot reconcile himself with the existing order and society does not want to change to satisfy the individual's demands. Society has the right to remain as it is, but the individual likewise has the right to his own outlook on life and the right to broaden this outlook. A situation in which an individual is forbidden either to broaden his outlook or to leave the country is the height of injustice, for it completely deprives the person of his or her individuality and sentences him or her to spiritual death. Sadly, many Ukrainian freethinkers have found themselves in such a predicament. This is what forced us to appeal to the Belgrade Conference reviewing the implementation of the Helsinki Accords with the request that it discuss the issue of discrimination against Ukrainians with respect to the right to emigrate, in order to promote its just resolution by the government of the U.S.S.R.

(Signed by Ukrainian Public Group
members Oles Berdnyk, Ivan Kandyba,
Vitaly Kalynychenko, Levko
Lukyanenko, Oksana Meshko, Vasyl
Striltsiv, and Nina Strokata.)

MEMORANDUM

The past two decades became marked in the world as an era of political thaw and the activation of movements that expressed the will of individuals, political groups and entire peoples. This phenomenon did not bypass the Soviet Union, as well.

As the events in 1968 in Czechoslovakia demonstrated, the Soviet government -- its statements during the post-Stalin period to the contrary -- was not prepared for nor did it adapt to such forms of manifestation of social life and, of all the means of resolving an irritating political situation, chose the most primitive and the most traditional means of an imperial state -- military might.

In recent years we have had an analogous phenomenon inside the Soviet state. The government signed international treaty acts in Helsinki, having no intention of observing them. These acts were to have applied to someone, somewhere abroad -- American Negroes or Indians -- but not to Soviet citizens. As if to say, Soviet society has already secured all rights for its citizens after the October Revolution.

That is what the government thought (it also expected that, as happened earlier, the Soviet people would remain indifferent to everything), but something else happened. In that same state where politics and manifestations of social life are monopolized by the Communist Party were formed public groups to promote the implementation of the Helsinki Accords.

The position of the Helsinki groups attracted the attention of the community in the country itself and throughout the world, on the other hand evoking intolerance on the part of Soviet authorities. The Soviet government would like to drive this current of public opposition into an illegal position, into the underground, transform it into an anti-state group and, charging it with anti-state conspiracy, square accounts with it. It would like to deprive it of the immunity of publicity and legality, of the support of world public opinion.

In Ukraine (and was it only in Ukraine!) in the most shameful way, in the style of the Stalin era, were conducted the trials and arrests of Helsinki Group members Mykola Rudenko, Oleksiy Tykhy, Levko Lukyanenko, Mykola Matusevych, Myroslav Marynovych, Yosyf Zisels, Vasyl Ovsiyenko, Vasyl and Petro Sichko, Oles Berdnyk, Yuriy Lytvyn. For anti-Soviet agitation and propaganda! For slander! For resisting the police! For some other semi-criminal, cynically fabricated offenses ... This was the Communist Party squaring political accounts with its opponents. This time everything went "as in the old days." World public opinion did not help. The leading standard bearer of the struggle for human rights, American President Carter, turned out to be powerless. The Belgrade Conference became muddled. We must admit that in its duel with the Ukrainian Helsinki Group the Soviet government formally gained remarkable results: almost all of the materials prepared by the Group under unbelievably difficult conditions have either been destroyed or still await their release.

We believe that the Helsinki Group in Ukraine has become a national problem for today, a vital issue for the Ukrainian people. We direct the attention of Ukrainian patriots to the exceptional need for its existence, and to the fact that the Group has become a factor in the national liberation struggle of the Ukrainian people for their national and political liberation, for the human right to live freely on their own land.

We who have signed below attest before the entire world and declare to the Soviet government: the Ukrainian Group to Promote the Implementation of the Helsinki Accords lives. The existence of the Group is equivalent to our life, our right to think, to create, to express our opinions.

We do not want to stand on the sidelines while sociopolitical problems that concern us are being decided.

We cannot watch in silence while accounts are squared with patriots, with the better sons and daughters of our people.

We are vitally interested in having life in our country and in the entire world put in order, we are vitally interested in the victory of laws that would guarantee maximum human rights.

Those of us who have just joined the Ukrainian Helsinki Group state that we remain faithful to the founding documents announced by the Group and declare that we will continue to act within the framework of the law.

We also call on everyone to further the activity of the Ukrainian Helsinki Group, to spread its popularity and acquaint the widest circles of the public with its ideas.

We ask that all materials, statements, complaints, letters and announcements be sent to our addresses. To the "Memorandum" we add the texts of the statements and the biographies of the new members of the Group (Z. Krasivsky, P. Rozumny, I. Sokulsky, V. Chornovil).

Those arrested, sentenced or under investigation:

Mykola Rudenko
Levko Lukyanenko
Oleksa Tykhy
Myroslav Marynovych
Mykola Matusevych
Yosyf Zisels
Vasyl Ovsiyenko
Oles Berdnyk
Petro Sichko
Vasyl Sichko
Yuriy Lytvyn

Expatriated:

Petro Grigorenko
Leonid Plyushch
Nadiya Svitlychna
Petro Vins

Memorandum signed by:

Mykola Horbal
Vitaliy Kalynychenko
Ivan Kandyba
Svyatoslav Karavansky
Zynoviy Krasivsky
Yaroslav Lesiv
Volodymyr Malynkovych
Oksana Meshko
Oksana Popowych
Bohdan Rebryk
Petro Rozumny

Rev. Vasyl Romanyuk
Iryna Senyk
Ivan Sokulsky
Vasyl Striltsiv
Nina Strokata
Vasyl Stus
Vyacheslav Chornovil
Stefaniya Shabatura
Danylo Shumuk
Yurko Shukhevych

Fall 1979

FOR THE RIGHT TO BE A UKRAINIAN

(A Statement by Ivan Hryhorovych Sokulsky,
Dnipropetrovsk, vul. Myru 3)

/Incomplete text/

I am not a politician (that is not my calling), and I have no political program... I want only one thing: self-realization as an individual. A human being has some kind of destiny in this world, beyond the "solely correct" social program that is assigned to it -- the human being -- in advance, even before its birth, by the Party and its leaders! Who has the right to take away from a human being its highest destiny, its personal calling, its spirituality -- be it even in the name of the loftiest ideas? Who could seemingly prohibit me from being myself, from being an individual?

In a community where everyone is obligated(!) to be a soulless appendage, even if to a lofty goal, where every person becomes obligated while still in diapers to adopt uncompromising atheism (godlessness) as a requisite condition for further Communist upbringing -- in such a community there is no place (nor should there be) for individuality in the full meaning of that word.

In a society where everyone until the end of his days is supposed to remain that "small screw and small cog" in the gigantic bureaucratic fly-wheel, where it is not the ends that serve man, but the reverse -- man slavishly serves the ends; where at every step we see moral devastation and decay, the terrifying soullessness of "healthy conformity," where the existence of man (as a spiritual entity) has long been in doubt -- in such a society, there is really no room for any kind of individuality, even if once in a while it were to break through the palisade of totalitarianism.

A society in which all efforts of the party-state apparatus are directed, by means of bureaucratically unpiercing objectivity and triumphant historical necessity(!) (try to express yourself against them!), towards completely choking the individuality that still smolders here and there (and this ideological goal is considered more important than economic tasks) -- such a society cannot allow me to exist as an individual even on a rudimentary level!

The first (rudimentary) condition of my existence as an individual is the right to be a Ukrainian (with all the consequences flowing therefrom). All my conscious and unconscious life testifies to the fact that I did not and do not now have such a right, a right to Ukraine. When in my twenty-fifth year I merely began to peek through the bureaucratic thickets, through the Russified assimilative environment, to my particular Fatherland -- in which I sensed the roots of my spirituality and individuality, I was immediately labeled as a "bourgeois nationalist." I was expelled from the university, and shortly thereafter, like a common criminal, I was transported to Mordovia, and then to Vladimir Central Prison. I became convinced from my own experience that for a Ukrainian, be he even a Marxist three times over, there is nothing here but prisons or "psychiatric hospitals."

I do not have the right to a private (intimate) life -- my every step and breath are recorded.

I do not have the right to keep diaries -- they are confiscated (regardless of what they are about).

I do not have the right not to conform my views to the official doctrine; I must adhere to the solely correct philosophical system -- Marxism -- or else they charge me with anti-Sovietism.

I do not have the right to creativity (not to speak of the right of publication) -- they will charge me with "preparing and keeping" /anti-Soviet propaganda/ and, at the first opportunity, also with "disseminating slanderous fabrications which denigrate our Soviet way of life and order."

I do not have the right to a job compatible with my interests and qualifications (in a country where officially there are no prohibitions on a profession!).

In a Dnipropetrovsk that is completely Russified, I do not have the right to converse in my native Ukrainian language; I do not hear it on the streets or in institutions.

I do not have the right to fatherhood, for how can one be called a father when he does not have the opportunity to give his child that which is basic and most elemental -- a Fatherland; when one's child does not have the opportunity to attend a Ukrainian kindergarten (there is no such thing!), and then a Ukrainian school (there is not one in our area either); what is the use of talking about a Ukrainian institution of higher learning.

The Soviet citizen in reality has the right only to "reproduction" of the population (if not of a "work force"). The anonymous bureaucrat who supervises upbringing looks upon a child solely as an object of social manipulation, as if, besides the qualities useful in future members of a totalitarian society, there should be nothing else in an individual (and does not even think of coordinating his principles of upbringing with the ideas of the parents). When the attack on an individual as a spiritual entity begins yet in childhood, in kindergarten, and does not cease until his last day, then is it any wonder that everywhere we see only deep moral decay and a return to the wild state!

The attack on elemental human rights was especially noticeably strengthened after the enactment of the new so-called "Constitution of the Extensive Building of Communism." But what can one expect from a constitution that triumphantly strengthens an obviously unconstitutional act -- the self-proclamation of the ruling party as the eternal ruling party (quote). According to this unheard-of law all citizens of the USSR suddenly became serfs of the CPSU (the power of the Communist Party over them was fixed forever, and by constitutional means!). "Swinish three times over," Ivan Franko would have called such a constitution.

-- All right! You have arrived!!! -- one would want to say to the serf-masters of the twentieth century.

-- Where to now?!

-- "Our goal is Communism" -- the slogans and banners shout mockingly in my face. And they're written in my name as well! But who's going to ask the opinion of a mute serf? Even if he dares have his own personal convictions!

The triumph of a Communism built like this, even if it does win out, would be the end of all -- of man as a spiritual entity. There would really be no place farther to go.

I see the triumph of Communism of this style (it is being built) not in the tall buildings, new machines, new factories. I see it in the most important, the foremost -- in the individual, who is ever more becoming suppressed by the frenzied advance of technology and bureaucracy. I see it in the vise of ideological regulations and orthodox Sovietism (which is nothing other than modified Stalinism), the individual being so weakened and fragmented that it seems that soon he can really be neglected (to be sure, in the name of a great goal). The orthodox bureaucrat obviously sees the triumph of Communism as the complete erosion from the individual of everything human. Only then will all problems really be solved once and for all: when it will be possible to rule the masses without impediment like marionettes in a puppet theater -- bringing up, directing, manipulating. For such Communist oligarchs this, in fact, is the ideal way to achieve absolute power (modern absolutism).

For me, as an individual, such a society is a knife at the throat. I will say directly -- I dread the triumph of your Communism, as the triumph of a boor, of primitivism and soullessness, as the apocalyptic end. To me Communism (the kind that is being proposed for us) and the Apocalypse are one and the same.

One can be silent about matters which do not concern one. But when it comes to the fundamental -- to the foundations of our spirituality, to the to-be-or-not-to-be of man as an individual, here silence is synonymous with betrayal of oneself, a shameful retreat from the field of battle.

-- There is no place to retreat further!

-- Further -- I am alone!

By waiving my civil rights, I would cease to be myself and nothing would be left for me but to go back -- to the "small screw and small cog" that have been utterly degraded by Communist oligarchs, to reject my individuality, achieved at such a high cost. For all that, possibly, they would pay well with all sorts of benefits, or at least with "no prison." But when for "no prison" it is necessary to pay with dignity, honor, betrayal of oneself, with Ukraine -- then I reject such benefits.

Everything, the whole, finds room in the part. Spiritually, the people, and then all of humanity, find room in individuality. Thus, by defending my human rights, guaranteed to me by the Declaration of Human Rights (which was ratified also by the Soviet Union), I -- within the bounds of my limited powers, to be sure -- would promote the general recovery of my twice enslaved people. Because, say what you will, a human being, besides all else, is a social being, and the gain of one immediately becomes the gain of all (just as a loss, the degradation of individuality noticeably reflects on the moral health of society).

Precisely because of this, I, as a citizen, do not have the right to be silent, to not speak with full voice about the deep chasm of moral nothingness and spiritual vacuum that is being dug beneath our feet.

Look around!

There is nowhere else to retreat!...

Ivan Sokulsky
/Member, Ukrainian Helsinki Group/

1979

III—A MANIFESTO

A MANIFESTO

of the Ukrainian Human Rights Movement, 1977

FOREWORD

Today is the first anniversary of the formation of the Ukrainian Human Rights Group. Many Events, both menacing and joyous, pleasant and tragic, have taken place in this short period of time. There were failures, there were doubts, there was despair, there was loss of illusions, and the cruel pain of parting with friends and blood brothers. The leader of the group, poet Mykola Rudenko, and a member, teacher Oleksiy Tykhy, have been sentenced to long terms of imprisonment. Two other members of the group, Myroslav Marynovych, an engineer, and Mykola Matusevych, a historian, are under judicial investigation; art critic Vasyl Barladyanu and Yosyp Terelya, a poet and artist, have been repressed for contacts with the group: the former was sentenced to three years in [concentration] camps, the latter incarcerated in the infamous Dnipropetrovsk Special Psychiatric Hospital. Hundreds upon hundreds of people acquainted with members of the group have been summoned more than once by the security organs and subjected to pressure, threats and provocations; many were evicted from Kiev, dismissed from work, etc.

Experience has shown that the security organs and other repressive organizations have learned nothing and fathomed nothing. The false honor of the uniform obscured the clear and obvious facts: the Ukrainian Human Rights (Helsinki) Group is a voluntary association of like-minded people, which in accordance with constitutional principles, the Helsinki Accords, the Universal Declaration of Human Rights and other international legal acts, directs its efforts towards the strengthening of the law, thus reinforcing the authority of its native country in the world. Not one of the members of our movement has committed a crime against the people or before the law. This is confirmed also by the fact that they [the authorities] are still holding M. Rudenko and O. Tykhy in a Donetsk dungeon (two months after [their case in] the Supreme Court of the UkrSSR), trying in every possible way to elicit from them a recantation and a disassociation from the group's activities, promising freedom in return. But, at the same time, the facts confirm that what is involved here are not the crimes of the convicted men, but the fear the bureaucratic perverters of the law have of the growth of the love of freedom and fearlessness among wide strata of the people. In order to halt this process, which began after the death of Y. Stalin, it is necessary to disgrace the leaders of spiritual emancipation. A disgraced leader is no longer a leader! A person who yesterday was a model of courage and today has betrayed his own ideals — such a person spawns despair, bewilderment and degradation in the souls of his contemporaries.

Therefore we must vehemently condemn the "arm twisting" tactics employed by zealous members of state security in an effort to multiply the legion of apostates and thus degrade the spirit of the people which gave them birth...

What next? What have we achieved? We have secured the release of no one, but lost many friends. The same fate awaits other freedom-loving persons. The logic of a sober mind leads one to turn away from an unwinnable, fruitless battle. "You can't break through a wall with your head!" — we've heard this refrain on many an occasion.

However, we've never based our activity on this criterion — the attainment of some "visible" results. From the first, we adopted a spiritual criterion. Not "what will I get out of it?" but "how will I behave in a threatening historic situation, when in the whirlwind of global events the fates of individuals and nations are being determined?" To give our souls for our friends — this is the irrevocable path we have chosen!

Thus, only a cosmic criterion is useful for evaluating the ground covered, for making new paths more firm. All of us are human beings, sailing on Spaceship Earth in the shining starry ocean of the universe towards the discovery of the secret of existence. It does not behoove the passengers and sailors of this ship to forget the fundamental calling of the bearers of intellect — to unite their broken world and prepare for contacts with distant systems and other realms.

Some will smile scornfully: what commensuration — judicial and police actions in one country or another, and galactic spirals that shine indifferently from the depths of space?!

The commensuration is total! With our prisons, banditry, wars, violence and lawlessness, we shall not enter the radiant abode of the universe; we shall remain at the threshold of the cosmic era, unless we can overcome our criminal mutual hatred and resistance.

In calling on all like-minded people to support us in the fight for law, our group chooses the following criteria: mutual understanding, brotherhood among people and nations, and tolerance in bringing together different points of view, in finding a common base for the grand action of uniting together all life on earth.

With such thoughts, with such feelings, we proceed to state our Manifesto, the conceptual document of the group.

1. OUR CREDO

We Ukrainians have traveled down difficult historic paths in the past. Sources have been obscured by the mists of time or the will of hostile forces; still, our cultural and spiritual achievements, our science and philosophy, our aspirations, our love of freedom, our love of work, our creative boldness and our eternal desire for sovereignty confirm that we are worthy brothers in one family of peoples and tribes of the world.

In announcing our credo, we do not demean anyone, nor do we extol ourselves before anyone; rather we offer our sincere embrace to all nations of the world.

Such sincerity has the right to assert its uniqueness and independence. The nation of Skovoroda, Shevchenko, **Ukrayinka[1] must break the ring of historic inattention and** reach the universal horizons of action, thought and creativity.

As the Public Group to Promote the Implementation of the Helsinki Accords and other international legal documents, we affirm our credo on the foundation agreed to by all states: *peace and security in Europe*. And thereafter—throughout the whole world!

However, this is only the foundation! But what will be built on it? And for whom? On a firm foundation one can build a settlement for joy or an enormous prison. The Ukrainian people say: "A strong prison is the devil's joy!"

So: *peace and security* for joy, for happiness, for unity among all the peoples of the earth, for sovereignty for every individual and nation, and for all-round creative self-expression. Thus we arrive at the conclusion that at the core of every international legal act there stands man and his law, and all present and future jousts will be fought around this concept.

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[1] Hryhoriy Skovoroda (1722-1794) — Ukrainian humanist and philosopher; Taras Shevchenko (1814-1861) — Ukraine's national poet; Lesya Ukrayinka (1871-1913 — poetess and dramatist.

To whom do we address our documents, letters and epistles? In whom do we place our hope? What do we hope to achieve by our archutopian activity?

The security organs accuse us of connections with foreign intelligence, foreign activists and embassies. These insinuations aren't even worth denying: our accusers themselves know very well this is not so! We are only grown-up children who still believe in legality, in the law, in humaneness, and the like. We still hope that the technogenic, industrial age had not completely ground up the souls of people, and that in the thunder of incomprehension and indifference the voice of love and courage can still be heard here and there.

Our letters are addressed to everyone who in the oceanic current of a cruel life will notice a bottle with a scrap of paper on which is written a call for help. However, the issue is not help specifically for us, those engaged in the defense of the law, but for our people in particular, and for all the peoples of this planet in general, because the neglect and subversion of the law, as a basis for relations between rational beings, has reached the apogee.

Various bureaucrats in our country are amazed: what violation of the law? Where is it? Whence did these renegades, these agents of imperialism, these bourgeois apostates get their assertions about violations of the law? The new constitution has been accepted and ratified; everything is guaranteed there, everything is promised. It even contains words about the inadmissibility of persecution for criticism!

The essence of the matter is that violations of the law have grown on such a scale that they have become commonplace, a law of its own. Instead, now there is astonishment and concern when someone, somewhere, does adhere to the law. *This is considered an oddity or a crime.*

This is exactly how things stand: the demand to change the situation in accordance with law seems insane or criminal. A vivid illustration of this assertion are the trials of those people who, believing in the constitutional guarantees, raised the issue about the idea of Ukraine's secession from the USSR. For merely expressing the notion of "secession," which is guaranteed by *law*, people were **sentenced to execution by firing squad.**[2]

Where is the reason for such an astonishing paradox? Why aren't guarantees of law being put into effect?

The essence of the matter is that back in the times of the reign of the Stalin-Beria clique, the law was bureaucratized and alienated from the individual, from the people. This alienation has not been overcome to this day.

We affirm the naturalness of man's law. Law cannot be abstracted from the individual by alienating it in the form of constitutional prerogatives. Law belongs to the individual, not to the state, which should only protect its citizens from usurpation of that law.

This is why bureaucrats, who graciously "guarantee" one right or another to their subordinates, are usurpers of the principal force of existence: the evolutionary spirit of self-discovery.

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2. In 1961 Levko Lukyanenko, now a Ukrainian Helsinki Group member, was sentenced to be shot; his "crime" was that he co-authored the platform of the Ukrainian Workers' and Peasants' Union, a planned legal organization that was to raise the constitutional issue of Ukraine's secession from the USSR. His sentence was commuted to a 15-year term of imprisonment. Former political prisoner Mykhaylo Masyutko, in a letter to the Supreme Soviet of the Ukrainian SSR, told of several similar cases in the 60's in which the death penalty was actually carried out. See Browne, *Ferment in the Ukraine.*

Entire nations have fallen into the trap of pseudolaw and pseudolegality. They no longer act in accordance with the bidding of their own being, their own soul, but according to the will of the pointing finger of some usurper. The national spirit is thus deadened and society is transformed into a gigantic biological cybernetic machine. . .

2. THE UKRAINIAN SITUATION

Fear grips people when they brush against the issue of the Ukrainian situation. The tag "Ukrainian nationalist" is assured and with it the appropriate reaction of the appropriate organs.

However, sooner or later, it will be necessary to talk about the national rights of one or another of the [Soviet] Union's republics. Better that this be sooner, when the main problems can be solved with the help of the law, and not in the whirlwind of a historic cataclysm.

Bureaucrats see red when members of [human] rights movements raise the issue of Ukraine: "What the devil do you want? There never has been and there is no Ukrainian problem. Ukraine is a constituent and inseparable part of the Union, free among the free, happy among the happy, a member of the UN, a sovereign state; in every corner its singers sing and its dancers dance, it produces such-and-such amounts of steel, pig iron, coal, meat, milk, and grain per capita."

All this is true, kind sirs! We are one of the richest, most prosperous, most, most, most countries in the world. And if the talk was about food, housing, coal or steel, then, really, what in the hell more would those Ukrainians need. We would sit in our cozy homes and ruminate with relish, digesting our next helping of *kovbasa* [sausage], chops or red caviar.

But for us, however strange it may seem, it is not enough to ruminate and burp with satiation, while applauding dancers in embellished Kozak[3] cloaks and trousers. Our gaze encompasses the spiritual reality of modern times and rises with horror to the bright stars — the eyes of God — begging the Spirit of the Universe to answer the ominous question:

"God, where has Ukraine disappeared to? What has happened to it? Did the *kobzars*[4] indeed walk this land, raising an entire nation, with nothing but epic ballad and song, to a joust against invaders? Could it really be that in these villages Kozaks were born who considered it happiness to give their souls for their friends, their mothers, their children, for the bright stars and placid waters? Could it really be that Skovoroda and Taras walked this land with their small bare feet, sparing the people's soul for an unprecedented, celestial republic of the spirit?"

This is no rhetorical exclamation! This is anguish speaking.

We become enthused with the national heritage of song, with our dances, embroideries, tapestries and folk craftsmen, but *all this was created in the past*, in *times of the greatest hardship, amid the din of eternal battle.*

Now almost nothing similar is being created.

Travel through the villages of Ukraine. In the evenings you won't hear the songs which even two or three decades ago resounded across our land every night till dawn. Furthermore, today's generation doesn't sing those songs that are being exploited by the official singers who represent Ukraine in other countries. Try to record the

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3. Kozaks were free men who settled the steppes of Southern Ukraine and built the Zaporozhyan Sich in the 1540's. "Kozak" is the term used to denote the social element that was a Ukrainian phenomenon, in order to differentiate it from the more general connotation represented by the term "Cossack." The latter is used to identify similar social elements of non-Ukrainian origin, such as the Don Cossacks.
4. Old Kozaks who travelled the countryside and, *kobza* (a lute-like instrument) in hand, sang of past Kozak glory.

folklore heritage from the mouths of the people *now*; maybe two or three hundred songs out of the hundreds of thousands can be recreated. If it wasn't for the work of pre-revolutionary and some post-revolutionary folklorists, the entire ocean of the people's spirit would have evaporated into nothing. Try to reproduce today the fables that our people carried through the millennia! Only thanks to literary records has it been possible to save this priceless treasure.

Is such a thing possible in India? Or in Iran? Or in Japan?

There, from the mouths of the people, hundreds of thousands of lines of the Vedas, epic poems, philosophical works by teachers from the past, thousand-year-old customs, songs and narratives can be reproduced in full. There the living cultural heritage of hundreds upon hundreds of generations is protected. And this after ages of foreign oppression!

We have lost the living spirit of the entire past in but fifty years. This is an incredible tragedy and disgrace!

Who needs these losses? Who will profit and rejoice, when on the universal tree of existence the magnificent branch of ancient Ukrainian culture dries up and dies?

All of the above-mentioned is neither fabrication, nor slander, nor hyperbole. The issue is not above *Soviet rule*, to which bureaucratic guardians immediately attach their accusations. The issue is the startling historical phenomenon of the degradation of an entire people under the press of bureaucratic usurpers: a mass renunciation of the native language, the sending of children to Russian schools, contempt towards native culture and literature, and then — cynicism and indifference towards spiritual problems, widespread alcoholism, the cult of material things and a consumer ideology, bribery, and the sexual corruption of the younger generation.

We point out at once, in complete friendship, that Russian language and literature bear no direct relation to this. The Russian people find themselves in a similar catastrophic predicament, and they derive no joy from the fact that millions of Ukrainian or Bashkir turncoats will pour into their linguistic or cultural element; they will only litter the

Russian folk well and sooner or later the nation of Tolstoy and Pushkin will have to cleanse their spring of alien garbage!

Who is to blame for the grave spiritual crimes against our people and the other brotherly peoples? Where is that lever that could turn the mill of history towards the wind of renewal and ascent?

There is only one culprit: the bureaucratic structure of society created by Stalin, whose inertia has not been overcome yet. This is a unique underground cybernetic machine, a bureaucratic superbrain, a social computer that has usurped the privileges and rights of rule by the people and has camouflaged itself with the ideas of such rule. Specifically, these are cunning bourgeois, who seize any important position in the socium, who have a mutual protective arrangement among themselves, confronting every oppositionist with the bugbear of "anti-Sovietism," even though they themselves are the fiercest enemies of the true concept of rule by the people. They are many, they are millions, they have invaded all elements of administration and spiritual influence, and corrupt the living spirit of the people. The battle against them seems without prospects. However, it only seems that way. The bureaucratic dragon possesses nothing of value in its soul — all of its arguments come down to the stout club of the punitive organs. Here, in this club, is concealed also the demise of the bureaucratic Kashchey! Paradoxical, but nevertheless true!

The object is not to engage this Kashchey in battle, nor to ask him for any privileges and rights. Having scorned persecution and death, we must strengthen in the deadened soul of the people *the comprehension of their omnipotence and absolute claim on the law.* Kashchey also grows from the same bosom as the fighters for law; if we strengthen the law of the spirit, the paper dragons will disappear — sooner or later this will come about!

However, on every rung of the governmental hierarchy there are intelligent and sincere people; we turn to them with our friendly appeal: together, let us build a society of joy, truth and brotherhood. The future fate of our peoples is affirmed not in the columns of foreign newspapers, or the corridors of international organizations, but in the living heart of the living sons of the nation.

To such people we address some of our proposals in the field of strengthening law, through whose realization, it seems to us, it would be possible to curb the bureaucratic dragon and renew the essence of revolutionary rule by people.

3. OUR PROPOSALS

We approve of the new Constitution, but at the same time we feel that the text that was ratified has many shortcomings and requires considerable supplementation.

The document is built on a foundation of bourgeois law, which provides for the hegemony of the state in the life of a society and the dominance of the state over oneself. It is precisely *this* which allows some bureaucrats, employees of the government machinery, to speak out in the name of *the whole socium,* usurping the law of man.

We believe that the law should provide for the *primacy of the individual* and the subordination of the state, for *in practice the individual is the sole reality* and value of existence, and the only thing of worth in the law.

The state, as we have already said, should become only *a guarantor of the freedom and sovereignty of the individual and of the peoples that make up the USSR.*

It is also essential to eliminate the point regarding centralization, the obligation of lower-level organizations to be bound by the decisions made by upper-level organizations. Every individual and every organization should be sovereign and accept any decision only when it is acceptable to the individual and the organization.

Creative cooperatives, councils and free associations of creative people, scientists and workers form the foundations of society and they are the very ones who should *together determine the goal and the direction of the development of the socium.*

The party should have only a moral power based on persuasiveness and a scientific quality, and not on the imperative of violence and coercion.

Governments should be deprived of the right of ownership, for in reality this right [now] belongs to the officials and bureaucrats, who exploit it for their personal consumer interests.

Let the right of ownership be handed over to the people:

Land — to the cooperatives, collective farms, individual owners, various organizations, institutes, academies, schools, and communities which make use of the land and look after it according to the laws of ecological equilibrium (which must be worked out).

Industry — hand it over to workers' communities, engineering associations, cooperative firms, individual initiators (without the right of exploiting other people's labor).

Publishing houses, schools, radio and television stations, and institutions of higher education — hand them over to creative associations of scientists, writers, artists, students, educators, journalists, etc.

The state, while it continues to exist, can only be the custodian of the natural rights of the popular creative societies we mentioned and can also assist in coordinating the common endeavors of society.

The following supra-state Coordination Councils should be created now (in the republics and the Union):

An Ecological Council
An Economic Council
An Energy Council
A Demographic Council
A Cosmic Council

composed of the most authoritative representatives of the appropriate fields. The decisions of these Councils should be binding on the state.

The Ecological Council should strictly define the ecological state of the country, corresponding to the *true conditions* existing today, and develop alternative recommendations for all strata of society and its life with the aim of arresting the ecological catastrophe that threatens the planet. For example, creating reserved alternative zones for new evolutionary experiments, for the pursuit of alternative approaches in the fields of biology, psychology, energy, genetics, the science of breeding, the acclimatization of new flora, the creation of new strains, and the like. Even today impetus could be given in such zones to basically new evolutionary cycles — world science has matured enough to such daring ventures.

The Ecological Council should also recommend the total and perpetual prohibition of hunting, which has destroyed the animal kingdom on earth and created a psychological type of a killer-man. The killing of animals, especially warm-blooded ones, should be considered a crime. The thoughtless ruination of the plant kingdom should also be considered a crime; the exploitation of forests and meadows should be allowed only on the condition of complete natural restoration.

The Ecological and Energy Councils should determine the economic and energy resources of the country and prepare recommendations for the maximum reduction in energy consumption by society, that is, where possible, to do without machines, without the use of fuel, to stop the stupid waste of precious minerals, to review the necessity of the mass transportation of various precious materials over thousands of kilometers, to investigate the possibility of their development locally. To arrest the growth of industrial centers and cities, and to begin resettling people to outlying areas, to natural surroundings, utilizing the advanced culture of construction and architecture, and taking into account the lifestyles and needs of the people. It is precisely these large-scale measures that can resurrect the spiritual-creative potential of the Ukrainian people and fraternal peoples.

The Demographic Council, in conjunction with anthropologists, educators, psychologists and sociologists, should determine the principal directions of human existence and give society recommendations concerning these tendencies [common to] all mankind.

The Cosmic Council will plan the future exploration of other worlds, the possibilities of contact with the intelligence of another sphere, the futurological predictions of the implications of such contact, new modes of living together on the cosmic level of existence.

However, all these "utopian" things will be left high and dry if the national rights of human beings and citizens are not affirmed. Legislative acts and, foremost, the Constitution, which provides for the fullest development of the individual and the nation, a development that gives the individual a language, a body, a human image, culture, historical tradition, a mother, father, brothers and sisters, the inheritance of evolution, these acts should *unequivocally determine* the eternity of a nation as the basis of the existence of contemporary man on Earth, the total spiritual sovereignty of a nation over and above the interests of the state (the transcience of which should always be emphasized), the inseparability of culture and nation. The international, the universal, is composed of the national and the individual; that is why the nation and its manifestations in the sphere of culture must be thoroughly protected, as the root of human culture in general.

The problem of citizenship belongs here too. Only one citizenship should be recognized — the spiritual, a communion with the spirit of a particular nation of the Earth, with which the person is *creatively* bound. The state should treat all people living within its territory equally, whether they be indigenous or arrivals from abroad. Let each mentally healthy person take advantage of its universal status as the subject of law.

Each person has the right to leave his native country and to return without the permission of the state.

It is also necessary to introduce amendments concerning equal rights for women. Women should not have equal rights, but *full rights*. The equality of rights for women has been turned around into their merciless exploitation. Taking into consideration that a woman is the mother of new generations, better conditions of work, leisure, child rearing, and the like must be provided for her. A sufficient pension must be set up for mothers who were forced to sacrifice their entire lives to the rearing of children.

The right of national equality must be added to the law [Constitution]. Fifteen state languages (corresponding to the number of republics) should be established. National military formations should be created. Documentation, publishing and the like should be set up appropriately. National schools should be established for those groups of people who find themselves, for one reason or another, in a foreign-language environment. (For example, the millions of Ukrainians outside the boundaries of Ukraine — in the RSFSR, Kazakhstan and other places — have not one school with instruction in their native language.) It is also necessary to define, through legal instruments, the criminality of the idea of assimilation of any nation. We view the idea of a drawing together of nations only as an absence of antagonism and a spiritual brotherhood in the sphere of creativity and knowledge.

In supplementing the present legislation, special attention should be focused on *Human Rights.* We have said earlier that the state does not bestow a right on a citizen, but only defends a person's natural right: the right to work, the right to knowledge, the right to housing, the right to all-round creativity and self-discovery.

Censorship must be abolished. This is a horrible bureaucratic barrier for the creative spirit. Civilized society cannot have censorship if it wants to move in the front ranks of the evolutionary march.

The Union of Republics is a great historic triumph of our peoples. However, under its cover horrific crimes were committed against various nations, in particular against Ukraine (artificial famines, millions executed, repressed and persecuted). Therefore, so this does not happen again, the rights of nations must be enhanced — and greatly! The right of any nation to secede from the Union must be conditioned by a specific mechanism for such potential secession. A clause concerning the *inadmissibility of* *persecution for the idea of secession* (there are enough appropriate precedents in the past and now) should be incorporated into law.

We also raise the issue of broadening the sovereignty of all republics, Russia included. In particular, all republics, Russia, included, should enter the UN on equal rights with Ukraine and Byelorusssia. That Russia is still not a member of the United Nations should be viewed as a glaring legal paradox of modern times. This fact also shows the cynicism of those bureaucrats who identify Russia with the Soviet Union. Russians should consider the point we have raised...

And finally — legislation. It should be worked out by freely elected deputies of the people. Here is the hidden essence so long exploited by the bureaucrats. We have yet to see elections. Elections should be the election of an acceptable candidate, instead of the confirmation of one prepared in advance. With the aid of this cynical manipulation, the same bureaucrats have for decades remained in positions of leadership, horrified at the mere thought of the possibility of retirement.

A dynamic change of leadership should become *law*. Our republics have countless numbers of excellent cadres in the fields of science, pedogogy, economics, etc. It will be enough to eliminate the bureaucratic usurpers from their places for the Union of Republics to rush with giant leaps into an unprecedented flight towards new horizons of creativity, joy and knowledge. Along with this, under conditions of a dynamic change of leadership, *no one shall dare use the punitive organs* for acts of reprisal against dissidents and oppositionists.

We consider that our society has matured enough on the spiritual plane, despite the degradation of a large segment of the people. The renewal could be accelerated at an unprecedented rate if social life was decentralized without delay, while reinforcing self-government and the functions of rule by the people.

The state's gigantic punitive apparatus (state security, the procuracy, the courts, organs of internal affairs, etc.) is interested in self-preservation; therefore, a large part of its activity can easily be transferred to people's control commissions.

We are certain, for example, that with full democratizations of social life and the liquidation of the bureaucratic — select caste our country could freely move to liberalize the punitive structure. The courts could be disbanded completely, leaving only courts of peers headed by experienced, humane jurists. The procuracy must be abolished, with its functions handed over to the people's control. The prisons must be liquidated, with only administrative settlements remaining for the time being. Capital punishment must be abolished, for in killing a criminal the state itself comes down to his level.

The multi-level activities of state security as to control over the spiritual life of the people, the accumulation of dossiers, the eavesdropping on conversations, the use of provocateurs and informers, etc., all this must be stopped. All these actions only compromise socialism and sow fear and dissension in society.

The time is ripe to summon an extraordinary convention of the republics in order to enhance the rights and sovereignty of nations and peoples belonging to the Union. The role of the Russian language in the life of the country should be clearly defined, stressing at the same time that its use as a means of union among nations will not usurp the rights of other languages and will never become a means of their destruction and degradation.

With the same aim in mind, a new city should be built — a capital of the Soviet Socialist Republics (somewhere on the border between Russia, Byelorussia and Ukraine), for Moscow, as the capital of Russia, cannot equally perform the duties of a capital of the whole brotherhood. Such a capital could be a sovereign administrative entity with a multinational leadership.

SUMMARY

We are on the threshold of the Cosmic Era. Mankind is already attempting to journey beyond the confines of the earth, looking beyond the limits of the solar system, dreaming of contact with brothers in intelligence.

However, the decisive steps are impossible to take without uniting the nous-spheres of the earth, that is the spheres of the intellect. Ideological exclusiveness, aggressive haughtiness and greed for the subjugation of everything will not enter the bosom of the universe. Only man who is wise, man who is loving and filled with the spirit of unity and joy will enter there.

Is the appearance of man so loving possible under present conditions of a tortured world, when philosophical and social ideas that do not conform to the Procrustean bed of orthodox dogma are considered crimes, when fighters for Human Rights sit exhausted in prisons, when creative thought breaks down in the labyrinth of consumer programs, when the specter of an atomic catastrophe looms over the world?

Such a human being has always been on earth, lying dormant in the heart of every *normal* person, and only spiritual blindness stands in the way of perceiving this cosmic fact and acknowledging its primacy.

The signing of various bits of paper on disarmament, on reduction of weapon supplies, etc., will not change the situation. The root of the problem reaches into the heart of a rational being and its future fate.

The criterion of existence and the unification of the world over and above all ideologies — this is the only way. The ideological joust must cease, for how can *spiritually incompatible worlds* and people who inhabit them, physically coexist? This problem must be bared and comprehended.

We will say it once again: the freedom of spiritual discovery and a common all-planetary criterion — *herein* lies the way out! But to achieve this it is necessary with all seriousness to confirm *Human Rights* and to defend them. As long as the individual is scorned, all feeble desires for peace and security, social justice and progress will only become paths leading to hell. And from hell, as we all know, there is no way out. We must think about this now, before Satan's gates have closed behind us. . .*

November 9, 1977 **Oles BERDNYK**
Kiev, Ukraine

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*The Manifesto of the Ukrainian Human Rights Movement was not coordinated with other members of the Ukrainian Group to Promote the Implementation of the Helsinki Accords, but was written on behalf of this Group.

IV—INFORMATION BULLETINS

MEMBERS OF THE UKRAINIAN GROUP:

Oles Berdnyk
Vitaly Kalynychenko
Ivan Kandyba
Oksana Meshko
Vasyl Strіltsiv
Nina Strokata-Karavansky

Information Bulletin No. 1

February, 1978

Introduction

Not much more than a year has passed since the time when, in the early part of November 1976, our authors' collective got together and chose for itself the name "Ukrainian Public Group to Promote the Implementation of the Helsinki Accords in the Ukrainian SSR". We agreed unanimously that by bringing violations of rights in our native land openly and directly to the attention of the Soviet government and the world community, our Group would be making a significant contribution to the cause of peace, security and cooperation among peoples. All our appeals, letters and memoranda are based on premises of Law and constitutional guarantees.

The organs of state security viewed the situation differently. Our group has been branded an anti-Soviet organization; more than half its members have been repressed, and all the rest subjected to various forms of extrajudicial persecution.

Under these conditions of cruel, lawless terrorism and psychological pressure, we believe it imperative to continue the struggle for the rights of man and nation, for the dignity of the citizen, for guarantees of freedom of thought and action, all in accordance with the ideals of humanity as expressed in the Universal Declaration of Human Rights.

In 1978 we have begun the publication of an informational bulletin in which we present facts of human rights violations in our republic. We hope that our work, which is based on faith in Law, will bear good fruit, if not now then in the future.

Chapter 1

In November 1977, Mykola Rudenko, leader of the Ukrainian Helsinki Group sentenced in June 1977 by the Donetsk Regional Court to 12 years' deprivation of freedom, was brought to the KGB prison in Kiev. It was proposed to him that he condemn the Group's activities in a written confession in exchange for his freedom. Rudenko declined. He was sent off to serve his sentence in the Mordovian camps (Mordovian A.S.S.R., st. Potma, p/o Lesnoy, uchr. ZhKh 385/19-3).

A second member of the Group, Oleksiy Tykhy, sentenced to 15 years' deprivation of freedom, was also sent off to Mordovia (st. Potma, ZhKh 385/1-6).

In December 1977, Mykola Rudenko declared a hunger-strike (three days) in protest against the confiscation of poetry he had written in prison.

Chapter 2

On December 12, 1977, in the city of Chernihiv (at 41-b Rokosovsky St., Apt. 41) still another member of the Helsinki Group was arrested -- the lawyer Levko Lukyanenko, a man with an especially tragic fate.

In 1961 the young, successful jurist, an 8-year member of the CPSU (Communist Party of the Soviet Union), was sentenced to death by firing squad for writing a theoretical treatise, a draft entitled, "The Ukrainian Workers and Peasants Union." (The draft was written on the basis of the constitutional right of the Ukrainian Republic to secede voluntarily from the USSR-Art. 14).

According to the draft, Ukraine was to remain socialist, developing on the basis of Marxist-Leninist ideology. Industry would be nationalized, with private enterprise allowed, however, in services, cottage industries and the trades. As for agriculture, a combination of cooperative associations of farmers, based on voluntary membership only, and of independent one-owner farms, was foreseen.

The draft in its essence is a prefiguration of the new trend known as Eurocommunism.

According to the draft, social, economic and political changes could be implemented only in a peaceful, democratic way, and the secession of Ukraine, on the basis of a referendum.

A group of seven men -- jurists and party workers -- was arrested the moment they took to discussing the draft among themselves. In June 1961, a closed court sentenced Ivan Kandyba to 15 years of camps, Virun to 11 years, and the rest (O. Lyubovych, I. Kyshysh, I. Vorovytsky, V. Lutskiv) to 10 years each. The Supreme Court of the Ukrainian SSR, on appeal, changed Borovytsky's and Kyshysh's sentences to seven years each and commuted Lukyanenko's death sentence to 15 years in forced-labor camps.

Levko Lukyanenko spent two months and six days in a cell for the condemned, and four and a half years in Vladimir Prison.

The completion of his sentence did not bring him freedom. For almost two years -- until his new arrest -- he lived in Chernihiv under the overt surveillance of the police, which was accompanied by covert surveillance and harassment on the part of the KGB.

They indicted him on charges of anti-Soviet activity. As incriminating documents they used, first of all, all the documents of the Ukrainian Group signed by Lukyanenko, personal correspondence and his publicistic articles, which had not been published in the Soviet press and which, regretfully, went unpopularized by samvydav (samizdat).

A talented and sensitive journalist, he has remained unknown to the democratic Soviet public.

He is charged, in part, with the authorship of the following articles:

1. An autobiographical sketch, "A Year of Freedom";

2. "Stop Judicial Injustice," submitted to the Ukrainian journal Folk Art and Ethnography in defense of the artist-intarsist Petro Ruban, whose sentencing has no precedent; and

3. An open letter to Professor Rubin, who recently emigrated from the USSR to Israel.

It was not a search at Levko Lukyanenko's, it was a robbery; everything was taken away, down to the last typewritten line of manuscript, together with a typewriter as well as previously inspected and censored correspondence of a most personal nature and some photographs. He and his wife, Nadiya, were unable to avoid a humiliating personal search.

Eight searches were conducted on December 12 in connection with the Levko Lukyanenko case (Case No. 39): in the city of Chernihiv at the apartment of Oleksander Lukyanenko, Lukyanenko's brother; at his sister's in Horodnyansky District, Chernihiv region; at his parents' in the village of Khrypivka in Horodnyansky District; at the apartment of Raisa Rudenko; and also at the homes of Group members Ivan Kandyba, Vitaliy Kalynychenko, Oles Berdnyk, Petro Vins. The searches were conducted in violation of Article 86 of the Code of Criminal Procedures of the Ukrainian SSR, that is, it was not "documents and objects relevant to the case" that were taken, as specified in the law, but personal correspondence, notebooks with addresses, copies of the Universal Declaration of Human Rights (from Kandyba), manuscripts of literary works and a typewriter from writer O. Berdnyk, foreign publications of a religious nature at the home of Vins.

On January 23, a search was conducted at Stefa Hulyk's apartment in Lviv.

After Lukyanenko's arrest, his wife, Nadiya Nykonovna, was, on numerous occasions, summoned to the KGB. Investigator Polunin and Sanko accused her of helping Lukyanenko conduct his anti-Soviet activity by being hospitable to his friends who had drawn him into that activity. They tell her: - "Now we will put him away. He'll get the entire 15 years."

Chapter 3

On February 8, Petro Vins, a member of the Ukrainian Helsinki Group, was arrested. He was charged under Article 216 of the Criminal Code of the Ukrainian SSR.

Two months prior to this, on December 8, Vins was detained at the Kiev rail station just as he was getting ready to leave for Moscow. He was beaten up by the police and placed under administrative arrest for 15 days for "insubordination towards the police." Police agents themselves told Vins' mother that they had beat him because he refused to submit voluntarily to a search. His request that they show him a search warrant was characterized as insubordination.

Vins declared a hunger strike and, because of this, did not report for work. For this they extended his term of arrest by another 15 days. Later, the procurator acknowledged the illegality of the second 15 days and voided that decision... two days before they had run out. Vins fasted in the police cell for 28 days.

The February 8 arrest took place on the street. His family was not informed of the arrest. The following day, Vins' mother went looking for him at the district police station, where they had brought him to be interrogated. Vins just had time to shout that he was being charged with "parasitism".

Petro Vins is 23 years old. He is the son of Georgiy Vins, the well-known Baptist leader who in 1974 was sentenced to five years' imprisonment. The authorities did not allow Petro Vins either to attend college or to set himself up with an acceptable job. He was forced to hire himself out periodically for manual labor which, with his state of health, was beyond his strength (in his youth he had undergone an operation, a stomach resection). Now the trumped-up "parasitism" charge threatens him with a year's imprisonment in camp.

Chapter 4

On February 9, Group member Oksana Meshko was subjected to the next search-assault in the "L. Lukyanenko Case". As they had a year before, the KGB entered the home illegally, having opened the door like thieves with keys they took from her lodger at his place of work (they brought him to the apartment in a KGB car for the purpose of -- as the supervisor of his shop put it -- "carrying out the instructions of the KGB... there is nothing to fear"). While one KGB agent was opening the door, the other eight waited concealed in the gateway of the neighboring house. They showed the search warrant after artificially creating fear and confusion. The search was conducted by nine men over a period of over 19 hours. When Oksana Meshko would not surrender a personal letter she had received from I. Kandyba (in it he described all the excesses of the administrative surveillance illegally ordered against him), Captain Prystayko and Lieutenant Colonel Hanchuk grabbed her, one by the right hand, the other by the left, painfully squeezing her wrists until the veins on her hands stood out and turned blue. The letter dropped from her hands... (Oksana Meshko is 73 years old).

They confiscated personal letters, notebooks with addresses, various notes for personal use which had no connection with the "Lukyanenko case," including also a list of international conventions on civil, political, economic, social and cultural rights, which were signed by the Soviet government and reaffirmed in Helsinki in 1975.

Colonel Hanchuk also set aside for confiscation, for the purpose of "studying" them, the personal documents of her son, O. Serhiyenko, a prisoner in the Perm camps; only the arrival of Berdnyk helped save them -- the documents were returned.

O. Meshko ignored summons to come to KGB headquarters. On February 14, with the participation of the police and "medical personnel," they delivered her -- "brought her in" -- to the Kiev KGB.

Investigator Sanenko interrogated her for four hours in the Lukyanenko case. Meshko refused to answer his questions on the grounds that they contradict Article 19 of the Universal Declaration of Human Rights and the Helsinki Accords. After the interrogation, Lieutenant Colonel Hanchuk issued her a "warning" about criminal responsibility and showed her a selection of documents, confiscated from her during several searches going back to 1972. Meshko refused to sign a record of the "warning" and challenged the characterization of the documents as "anti-Soviet".

O. Meshko informed the investigator of her demand that the authorities close down the technologically-equipped surveillance base behind her house, which was set up in a neighboring vacant house and which functioned for over a year with no legal basis. The investigators replied with silence.

Over the past year and also during December and January, Meshko's acquaintances were questioned about her and her son, Oleksander Serhiyenko. Some of those questioned were threatened with imprisonment should they visit her and maintain the relationship; others were promised that they would be "released" from their jobs in their professional fields, etc.

O. Berdnyk, who had arrived at the apartment at the time of the search, was subjected to a body search (some poetry was confiscated), then taken home (at present he lives with his family in Rudenko's apartment), where they also conducted a search.

Chapter 5

Ivan Oleksiyovych Kandyba, a member of the Ukrainian Helsinki Group and a former political prisoner (he spent 10 years in imprisonment in the same case as Lukyanenko), has lately fallen victim to new persecutions.

On September 23, 1977, the head of the KGB in the village of Pustomyty stopped Kandyba on a Lviv street and took him to the regional procurator's office. Rudenko (brother of the Procurator-General), the regional deputy procurator in charge of monitoring KGB investigations, and General Poluden, chief of the KGB administration in Lviv, talked with him. They reproached Kandyba for his "incorrect" way of life; they especially imputed to him trips to Moscow, Kiev, Tarusa and Chernihiv. The procurator proposed that he publicly renounce his views in the press and on radio and condemn his own activity and that of his friends (i.e. the Helsinki Group). And for this he was promised permission to live in Lviv (Kandyba is registered in the village of Pustomyty, where for a year, until May 1977, he was kept under surveillance) and to work in his profession (Kandyba is a lawyer, a university graduate). Kandyba declined, for which the procurator called him an "un-Soviet person," a degenerate and an enemy, and issued him a decree prepared beforehand which placed him under administrative surveillance for a period of a half year. Without even letting him stop off at his relatives' for his personal things, they took Kandyba straight from the procurator's office to Pustomyty, where on September 28 he was visited by General Poluden who again demanded from him a "confession" and promises to change his behavior.

With great difficulty Kandyba found himself a place to live -- a private apartment for 30 rubles a month -- and a job as a stoker paying 70 rubles a month. During the time he was seeking work -- and encountering rejection everywhere -- the police constantly threatened him with criminal prosecution for "parasitism."

The grounds used for setting up the administrative surveillance:

1. He avoided employment;

2. He did not reside at the place of registration; and

3. He travelled to cities throughout the Soviet Union.

Despite the illegality and, with respect to the first point, even the falseness of these charges, Kandyba was unable to get the order voided. His statements, containing qualified, juridically grounded refutations of the reasons for the administrative surveillance, were sent back to the district procurator in whose name the order had been issued.

On December 12, the day of Levko Lukyanenko's arrest, a search was made at Kandyba's apartment during which a hand-written copy of the Universal Declaration of Human Rights was confiscated (the Declaration had been confiscated from Kandyba during searches on previous occasions, especially in camp).

On January 2, Kandyba was summoned to the Lviv OVIR (Visas and Registration Office--Ed.). They questioned him there as to whether he had relatives abroad and whether he had asked anyone to send him an invitation. They suggested that he submit a written explanation in reply to these questions. Kandyba declined to comply with a request that was not grounded by law. He stated that if an invitation had come addressed to him, then the authorities are obliged to deliver it without requiring explanations of that sort.

According to the practice that has evolved in Ukraine, statements which contain their authors' intentions to emigrate often serve as the basis for various kinds of persecution, including arrest and incarceration in psychiatric hospitals.

On February 6, administrative surveillance of Group member N. A. Strokata was extended for another half year.

After four years of imprisonment in a camp, N. A. Strokata has already lived under surveillance for two years.

Chapter 6

In October 1977, Vitaliy Kalynychenko and Vasyl Striltsiv joined the Group.

Vitaliy Kalynychenko served a 10-year term of imprisonment (1966-76) for an attempt to flee across the border, which was defined as "betrayal of the Motherland." Since his release he has lived under police surveillance in the city of Vasylkiv, Dnipropetrovsk region, and works as an engineer.

After OVIR's refusal to draw up emigration papers for him (he has an invitation), Kalynychenko stated, on October 23, that he renounces his citizenship and sent his passport, military card and diploma to the Supreme Soviet of the Ukrainian SSR.

Vasyl Striltsiv is a former political prisoner of Beria's camps who was sentenced to 10 years' deprivation of freedom when he had barely turned 15. After exoneration (in the era of the "thaw"), he graduated from Chernivtsi University and worked as an English-language instructor in a high school. Recently, he has become the target of extrajudicial persecution. His complaints to scores of republic and union institutions have remained unanswered.

V. Striltsiv declared a strike and in August 1977 applied for emigration to Great Britain.

A strike was also declared by Ivan Sychko, an engineer from the city of Dolyna who had been transferred illegally to a job not in his profession. He submitted a statement to the government renouncing his citizenship and declaring his desire to emigrate from the USSR. His son, Vasyl Sychko, who had been expelled from the University of Kiev (Department of Journalism) for ideological reasons, submitted a similar statement.

Chapter 7

On February 3, the people's court in Kiev sentenced musician and composer Vadym Smohytel to three years' imprisonment. He was sentenced under Article 206, part 2 (malicious hooliganism). The trial, announced as open, was guarded by the police and KGB agents. Only Smohytel's mother and uncle were allowed into the courtroom; his friends and acquaintances were shoved out. All the places in the small room were occupied by a "specially-chosen public." The trial proceeded without a defense, though with an appointed lawyer present, who declared that he was "not acquainted with the case." They would not let Smohytel defend himself -- the judge would interrupt him: "Stop, you're speaking not to the point."

The only witness was a passer-by (the rest were dryzhynnyky -- volunteer police -- and police) who had not seen the fight of which Smohytel was accused; he testified only that, brought to the police station along with everybody else, "he saw that the victim had scratches on his knees" -- in the police records this was classified as a "slight bodily injury."

The hooliganism incident had been staged December 13, 1977, on a dark street, in a span of two minutes: some man suddenly fell at his feet and Smohytel was immediately shoved into a police car parked nearby.

In protest against the falsified charges, V. Smohytel declared a hunger strike and held it until the trial, i.e. for 53 days.

After the arrest, they made a search of Smohytel's apartment. Books and original tape recordings by the arrested musician were confiscated.

The "fight" was preceded by a telephone conversation with Canada on December 12 -- Smohytel asked an acquaintance of his to help him emigrate. And still earlier, in August, he had sent a statement to the Supreme Soviet of the Ukrainian SSR asking for permission to leave the Soviet Union in order to complete his musical education and work in his vocation.

V. Smohytel, born in 1939, is a talented and original musician. He organized a national ensemble, the Zhayvoronok university chorus, which won popularity among the student youth. His works were recorded for radio broadcasts, he was preparing a film about [illegible] Matviyenko, a singer with the Veryovka Chorus -- all of these successful innovations were periodically interrupted on signals given secretly. His situation became hopelessly worse after the repressions that came pouring down on the Ukrainian intelligentsia in 1972 (he was a close acquaintance of several of those arrested).

These were the circumstances that led Smohytel to his decision to emigrate.

Chapter 8

Vasyl Barladyanu, sentenced July 26, 1977, in Odessa under Article 187, Criminal Code of the Ukrainian SSR ("dissemination of consciously false fabrications about the Soviet social and governmental system"), is in a camp in the village of Rafalovka in Rivne region. After a beating to which he had been subjected at the time of his hunger strike in an investigation prison (upon his latest refusal to take food), the condition of his health progressively deteriorated. At the camp he was assigned to heavy work in a rock quarry; only at the end of November, after numerous complaints from his wife, Barladyanu was sent to a hospital in Lviv. Ten days later he was returned with the stipulation that he could not be used for heavy work; he was reassigned to making boxes. However, the swampy Polissya climate itself has a pernicious effect on Barladyanu, who in addition to other illnesses suffers from tuberculosis. They refuse to transfer him to another camp.

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Yevhen Sverstyuk, who is in Perm camp No. 35 (VS 389/35), was deprived of the right to receive parcels in 1978.

In January 1978, Ivan Svitylchny (Perm camp No. 36) contracted infectious jaundice. After a long delay, he was sent to a hospital. A quarantine was set up in the camp in February.

In December and January searches were conducted in Ukraine in connection with a case of theft, committed, according to the investigating organs, by one Ivan Dyky. The following were subjected to searches: On December 12-Lyubomyra Popadyuk, the mother of political prisoner Zoryan Popadyuk (in Lviv), his grandmother, Sofya Kopystynska (in Sambir), and Olena Antoniv (in Lviv); on January 5-Bohdan Soroka (son of M. Soroka, who died in a camp) in Lviv, and in Kiev, the wife of political prisoner Vasyl Lisovy, Vira Lisova.

None of them were at all acquainted with I. Dyky.

The Group does not know exactly whether I. Dyky committed the theft, but it does know for a fact that those who were subjected to the searches could not have had anything to do with it. The purpose of the searches was to uncover the monetary means used to aid political prisoners and their families.

It is also known that Ivan Dyky, having returned to his homeland a few years ago after five years of camps and two years in exile, to which he was sentenced under Article 62, Criminal Code of the Ukrainian SSR ("anti-Soviet agitation and propaganda"), for anonymous letters he sent to state organs, could not get permission to live with his family (he has two children) in a village in Western Ukraine, did not have a permanent registration card or work, and was persecuted by the police.

INFORMATION BULLETIN NO. 2

March-June, 1978

Members of the Ukrainian Helsinki Group:[1]

Mykola Rudenko (head of the group). Sentenced to seven years' imprisonment and five years' exile. Lyesnoy, uchr. ZhKh 385/19, Mordovian ASSR.

Oleksa Tykhy. Sentenced to ten years' imprisonment and five years' exile. Sosnovka, uchr. ZhKh 385/1-6, Mordovian ASSR.

Mykola Matusevych. Sentenced to seven years' imprisonment and five years' exile.

Myroslav Marynovych. Sentenced to seven years' imprisonment and five years' exile.

Petro Vins. Sentenced to one year of imprisonment. Rivne Region, Volodymyrets District, uchr. OR 318/78.

Levko Lukyanenko. Imprisoned pending investigation. Chernihiv.

Petro Hryhorenko. Expatriated from the USSR. New York.

Oles Berdnyk. Kiev.

Vitaliy Kalynychenko. Under surveillance. Vasylkiv, Dnipropetrovsk Region.

Ivan Kandyba. Under surveillance. Pustomyty, Lviv Region.

Oksana Meshko. Kiev.

Vasyl Sichko. Dolyna, Ivano-Frankivsk Region.

Vasyl Striltsiv. Dolyna, Ivano-Frankivsk Region.

Nina Strokatova /name as it appears in document; more familiar name and the one she goes by is Nina Strokata/. Under surveillance. Tarusa, Kaluga Region.

Introduction

In August 1975, the head of the Association of Soviet Jurists advised the Secretary-General of Amnesty International:

> ... We want to inform you that we do not intend to discuss that which you call a book (referring to the report of Amnesty International for the year 1975, which contains materials about the conditions under which prisoners of conscience in the USSR are held), but which in reality is a vulgar falsification and defamation of Soviet reality and socialist legality.

We maintain that unqualified reliance upon the statements of the Association of Soviet Jurists is unacceptable. Attesting to the disparity between these statements and reality are, in particular, the arrests and secret trials, the reprisals against the members of the Helsinki groups.

The repressions that have fallen upon founders of the Ukrainian Helsinki Group Mykola Rudenko and Levko Lukyanenko and upon many others of its members were made possible by the inadequate attention and insufficient concern of the free Christian world to the egregious violations of fundamental human rights and freedoms in our country.

We will cite some examples here which describe not only violations of human rights, but also of /the country's/ own laws.

1. Terms of Deprivation of Liberty.

Since 1959, criminal legislation allows for terms of deprivation of liberty of no more than fifteen years. We cite the names of our countrymen who remain (or who recently were)in confinement for more than fifteen years (pursuant to sentences which were imposed before 1959).

Kateryna Zarytska. After twenty-five years of continuous imprisonment, she was released in 1972. Of these twenty-five years, she spent almost twenty in a prison cell.

Odarka Husyak. A twenty-five-year term, a term of a continuous state of bondage, nineteen years of which were in a prison cell. Released in 1975.

Svyatoslav Karavansky. In 1965 (!) he was returned to a place of deprivation of liberty on the grounds that, having been released "mistakenly" in 1960, he had not served the twenty-five-year term of deprivation of liberty in accordance with a 1944 sentence. S. Karavansky was not released in 1974 either (that is, after serving twenty-five years) because a new sentence was brought against him; he remains in prison to this day. In September, 1976, the wife of Svyatoslav Karavansky appealed to the Presidium of the Supreme Soviet of the USSR to release her husband and to let him emigrate from the USSR. The scientist-biochemist N. P. Lysovska also appealed to the Presidium of the Supreme Soviet to release S. Karavansky.

Hryhoriy Hirchak. Released in January 1978, after twenty-five years' imprisonment.

Vasyl Pidhorodetsky. Sentenced in 195-, serving a twenty-five-year term of deprivation of liberty.

Mykhaylo Soroka. Died in 197- in a Mordovian camp, while serving a twenty-five-year term of imprisonment (from 195-).

Stepan Soroka. Serving a twenty-five-year term in a Ural camp, Perm Region.

Dmytro Basarab. Serving a twenty-five-year term; will be freed in September 1978 (Ural Camp No. 35).

Dmytro Verkholyak. Twenty-five-year term ends in 1980 (Ural camp).

Mykola Kurchyk. Mordovia, strict regime, will be released in 1978-79.

Onufriy Kulak.

2. Places for Serving Punishment in the Form of Deprivation of Liberty.

The principles of penal legislation of the USSR provide for deprivation of liberty, without deportation beyond the boundaries of the Soviet republics (which formally have the status of independent states). At the same time Article 6 of the Correctional Labor Code of the RSFSR /Russian Soviet Federated Socialist Republic/ has the following regulation:

> ... Those sentenced for especially dangerous state crimes are relegated, for serving of punishment, to the VTK /correctional labor colonies/, which are designated for the confinement of these categories of convicts, regardless of which Soviet republic they resided in before arrest or were sentenced in.

(In the Soviet legal system a manifestation of independent thinking often qualifies as "anti-Soviet agitation and propaganda," which belong to "especially dangerous crimes.")

Thus, on the basis of the correctional labor code of one Soviet republic, the citizens of other republics, especially of the Ukrainian, serve their sentences outside its boundaries (the names of Ukrainians who are serving their sentences in the Russian Federated Republic are cited in other documents of the Group).

3. Places of Exile.

Places of exile, as a rule, are situated outside the boundaries of Ukraine. Ukrainians are sent into exile (often after serving a term of deprivation of liberty in the camps of Mordovia or the Urals or in Vladimir Prison in Siberia, Yakutia, Trans-Baikal, the Far East (Magadan Region and elsewhere), in Northern Kazakhstan and other areas that are unusually far removed from Ukraine, completely dissimilar from her in language, lifestyle, climate and other respects. This substantially increases the degree of punishment for the exile himself and for his family.

We give the names of some Ukrainians who are in exile at this time:

Iryna Kalynets/Stasiv/, Trans-Baikal. Prior to this she spent six years imprisoned in a Mordovian camp (sentenced under the article on "anti-Soviet agitation and propaganda").

Stefaniya Shabatura, Northern Kazakhstan.Prior to this she spent five years in a Mordovian camp (under the article on "anti-Soviet agitation and propaganda").

Vasyl Stus, the Far East, Magadan Region. Prior to this he spent five years in a Mordovian camp (article on "anti-Soviet agitation and propaganda").

Vyacheslav Chornovil, Yakut ASSR. Prior to this he spent six years in a Mordovian camp (article on "anti-Soviet agitation and propaganda").

Exile awaits Iryna Senyk, an invalid who is currently in a Mordovian camp. For her the conditions of exile — in a foreign land, in complete isolation, often in extremely unfavorable living conditions -- may prove to be even more difficult than the conditions of camp captivity, where she had found herself amidst her Ukrainian countrywomen.

In January 1979, Oleksander Serhiyenko, sick with tuberculosis, should be sent by transit into exile. (At this time he is in a Ural camp.)

On April 15 of this year /1978/, upon the completion of a term of deprivation of liberty, Ivan Svitlychny was relegated by transit into exile, directly from a hospital bed (he was in the central camp hospital in connection with his having contracted infectious hepatitis and the

exacerbation of a chronic kidney condition).
I. Svitlychny requested that, because of the serious state of his health, he be assigned to a place of exile in Ukraine. Svitlychny's wife begged the camp authorities to send I. Svitlychny off into exile not by ordinary transport, but by airplane (ordinary transport is associated with numerous torments and is too difficult even for a completely healthy person). I. Svitlychny was sent off into exile by ordinary transport. At the beginning of June he, barely alive, arrived in the Altai Territory.

In accordance with Soviet legislation, an exile may request temporary leave from the area of assigned residence. However, to receive permission is a very complicated matter. Thus, in May of this year, Vasyl Stus with great difficulty received permission to go to his dying father. Seeking permission, he went on a hunger strike; he was supported by other exiles (who were staying in different areas of the country), as well as by friends who were free. He was permitted to stay at his father's in the city of Donetsk for a miserably short time (two days?).

In March of this year, Vyacheslav Chornovil, in connection with his mother's serious illness (apoplexy), was permitted to travel from a remote village in Yakutia to Kiev Region, but for such a period that he barely had time to reach the destination and return. So even this very permission sometimes has a mocking nature.

4. Place of Residence After Release. Administrative Surveillance.

After completion of /a term of/ imprisonment, a political prisoner is deprived of the right to live in a number of cities and regions. Unpublished (secret) decrees regulate the restrictions on residence. Restrictions on the choice of a place of residence (and also the impossibility of obtaining living quarters) prevent prisoners of conscience from returning to where they lived prior to arrest, especially to the bigger cities. This creates considerable difficulties in the reunification of families. Besides that, the ousting of thinking persons from cultural centers takes place in this manner.

Administrative surveillance (overt surveillance by the militia) is imposed on the former prisoner of conscience or the former participant in the national liberation movement in the city or village where he has been allowed to settle. This measure of punishment, which does not flow out of the sentence, is determined by the administration of the correctional labor institution where the political prisoner last spent time. The administration makes the decision to put under surveillance those who, while serving their sentences, "did not step onto the road of correction." The decision for surveillance is confirmed by the prosecutor. Afterwards, organs of the militia, which carry out the surveillance, can extend it again and again; after three to six years of imprisonment, surveillance can be extended for up to five years. If a prisoner was incarcerated for ten years or longer, surveillance over him can extend to eternity (a conviction is lifted by a court only when the former political prisoner "has stepped onto the road of correction").

The rules of surveillance deprive the person under surveillance of a series of basic human freedoms: it is not permitted, for example, to go out beyond the boundaries of the inhabited area, the town or village, or to leave one's living quarters during evening/nighttime hours (for example, from eight o'clock in the evening until six or seven in the morning and so on); it is not permitted to go to clubs, movies, restaurants, etc. It is necessary to report once a week at a designated day and hour to the militia. A breach of the rules of surveillance is punished by deprivation of liberty for a term of up to two years.

Those presently under surveillance:

Nadiya Svitlychna. Released in May 1976. Pregnancy and the birth of a child (at the end of May of this year) did not exempt her from surveillance.

Nina Strokatova. Released in December 1975. A serious illness did not exempt her from surveillance and from a series of punishments -- fines, arrests for fifteen days for breach of surveillance (in a series of incidents fabricated by the militia of the KGB).

Ivan Kandyba. Released in January 1976.

Levko Lukyanenko. Released in January 1976, after a 15-year term of imprisonment. Surveillance continued until his re-arrest in December 1977.

Mykola Bondar. After his release in November 1977, he settled at his parents' /place/ in the small village of Tulchyn in Cherkasy Region; immediately, he was put under surveillance. But he was not allowed to live with his parents and for several months had to wander about in search of living quarters and employment.

5. Obtaining Employment.

Exiles,as well as former political prisoners, usually are in danger of great discrimination in obtaining employment. Although in the USSR there is no law on prohibitions or limitations in professions, they are, as a rule, denied the opportunity to work in their field of specialization; often the state of their health is not taken into consideration. Thus, Nina Strokatova -- a doctor, a scientist-microbiologist -- has to work for a meager salary as a cashier in a small museum. The talented philologist Nadiya Svitlychna worked as a janitor and chambermaid. Iryna Kalynets (a talented philologist and poetess, she suffers from asthma) after arriving in exile was offered a job as a stoker or as a milkmaid. The talented philologist, poet and translator Vasyl Stus -- seriously ill -- works in a mine. The talented journalist Vyacheslav Chornovil, who is seriously ill, is a general worker in a camp; he sorts rotten potatoes in a cold and damp place and receives a monetary wage for this. Mykola Bondar was agreeable to any job, but only after several months of hopeless searching did he finally set himself up as a laborer at a factory and received a bed in a dormitory.

Freedom for Levko Lukyanenko!

On December 12, 1977, a founding member of the Ukrainian Public Group, a prominent activist in the movement in defense of /human/ rights, publicist and lawyer Levko Lukyanenko was arrested. He is fifty years old. This is his second arrest. Released on January 21, 1976, after a fifteen-year imprisonment, Lukyanenko spent not a full two years in freedom -- under the strict surveillance of the militia and the KGB.

Let us trace briefly the path of his life.

In 1944, during World War II, Levko Lukyanenko, at the age of sixteen, was conscripted into the Soviet Army and served out eight years. At the same time he was studying and graduated with honors from secondary school. While in the Army he joined the Communist Party of the Soviet Union. In 1953, after his discharge, Lukyanenko entered the Faculty of Law at Moscow University and completed it successfully in 1958. He worked in the organizational department of the Vinnytsya Regional Executive Committee, and then in Hlynyany District, Lviv Region, as a legal consultant for the district committee. Here he became acquainted with the young lawyer Ivan Kandyba and other jurists and employees of party and Soviet organs, in whose midst many social problems were discussed. And these problems were many after a horrible, destructive war. Its consequences were especially debilitating in Ukraine, which had absorbed the main blows of both the fascist invasion and the Stalinist terror.

L. Lukyanenko observed the social order of European states, comparing the life of the peoples of Europe with the life of the peoples of the USSR, and especially of Ukraine. His education at the university had given him a system of knowledge in the area of law, political economics, and the systems of government within various social structures. Access to the university library gave him an opportunity to become acquainted with the platforms of the prerevolutionary parties of Russia and Ukraine (which occupied the position of a colony in the Russian Empire). This is how the idea of a reorganization of the sociopolitical system of the Ukrainian SSR sprung up; the development of this idea was a draft of the program of the party Union of Workers and Peasants. According to this draft, the basis is socialism with state ownership of the means of production; however, private enterprise would also be permitted in small business, trade and in the realm of services. A radical reorganization of agriculture, with a truly voluntary cooperative system, was envisaged. State authority is built on the principle of democracy and free elections. The state language in Ukraine is Ukrainian. The question of the withdrawal of Ukraine from the USSR is decided by referendum.

In November 1960 in Lviv, at 17 Dekabrysty Street, this draft was discussed by a group of seven like-minded individuals. Also present was the student of a higher party school, Vashchenko. He turned out to be an informer.

On January 20, 1961, all the members of this group were arrested and later sentenced in an exclusively closed trial, held in the KGB building in Lviv. Levko Lukyanenko was sentenced to death for his, in essence, theoretical thesis, for the idea of building socialism with a human face, precursing the similar goal of A. Dubcek in the Czechoslovak Republic and also the contemporary ideas of Eurocommunism. The reprisal was severe -- sixty-seven days, handcuffed in a cell on Death Row. The Supreme Court commuted the death sentence and changed it to fifteen years of strict regime camp. The rack for breaking a person's spiritual backbone proved to be even more cruel. They kept him in Vladimir Prison four and one-half years, in KGB prisons in Kiev, Lviv and Chernihiv still another two years, subjected him to psychiatric examination in a special psychiatric hospital in the city of Rybinsk; they kept him in punishment cells, camp jails (PKT), exhausted him with hard work, hunger ....

Several times they proposed that he write penitent statements.

In the camps, after numerous reflections, having experienced socialist legality on himself, L. Lukyanenko renounced Marxist theory as groundless and inhuman. Belief in a higher justice led him to God. He became a deeply believing person who defends the principles of democracy and respect for human rights from a Christian position.

Thus, it was not by chance that, disregarding his severe and dangerous situation under surveillance, L. Lukyanenko found himself among the founders of the Ukrainian /Helsinki/ Group; what is more, he became the soul of the Group.

Both as a member of the Group and individually, L. Lukyanenko came to the defense of his unfortunate friends, thrown into prisons and camps solely for their convictions. He wrote a publicistic article in defense of the artist-inlayer Petro Ruban, /entitled/ "Stop the Subversion of Justice," and sent it to the editorial office of the Ukrainian journal Narodna Tvorchist Ta Etnohrafiya /Popular Creativity and Ethnography/; he defended the persecuted and reviled Banderite Bohdan Chuyko (who was also defended by a member of the collegium of attorneys, the Kiev jurist Marchenko), agricultural specialist and teacher Kuzma Matviyuk, who was also being persecuted after completion of a penal term, and others.

He fearlessly corresponded with oppressed and scorned people, with whom a fate of suffering had brought him together. And thus, after a fifteen-year imprisonment at hard labor, L. Lukyanenko was again arrested by the KGB.

Seven months have already passed from the moment of his arrest. He is isolated from his family, from persons close to him; his fate is unknown.

Interrogations and searches in the Lukyanenko case are being conducted literally throughout the entire Soviet Union: in the Magadan Region, in Khabarovsk Territory, in Krasnodar Territory, in Inta in the Komi ASSR, and also in the towns and regions of Ukraine. The young and the old are being intimidated by searches and interrogations. Up to this time neither his family nor his friends know whether charges have been brought against Lukyanenko or what he is being accused of. It has become known that the investigation is trying to place in doubt Lukyanenko's mental health (prison psychiatry, for example, is used for this purpose). L. Lukyanenko's wife, who during her whole life has been his steadfast and unselfish friend, is being terrorized with interrogations.

The tragic and noble fate of Levko Lukyanenko deserves widespread attention.

The Ukrainian Helsinki Public Group asks the international community, jurists and believers to come to the defense of L. Lukyanenko now, not to wait for a sentence to another fifteen years at hard labor. The evil that Lukyanenko is fighting with such courage, without sparing himself, can befall each of you if its path is not blocked!

The Investigation in the Case of L. Lukyanenko

In connection with the case of L. Lukyanenko the organs of the KGB conducted searches and interrogations in various corners of the Soviet Union. Among those searched and interrogated are exiles and also persons who after release from imprisonment were forcibly settled in the far provinces of the Union, far from Ukraine. Also subjected to searches and interrogations are those with whom L. Lukyanenko corresponded.

Volodymyr Zatvorsky, Inta, Komi ASSR. /An apartment/ search and questioning. They confiscated several letters from Lukyanenko, a copy of L. Lukyanenko's statement to the Kiev Exarch (with a plea to send a Bible in the Ukrainian language), a document of the Ukrainian Helsinki Group, "A Declaration," a report about what happened at the trial in Druzhkivka (the trial of Rudenko and Tykhy). They also took several general notebooks with notes and observations on literary and historical themes. (The notes were made by Zatvorsky in the camp where he was serving his sentence. They have nothing to do with L. Lukyanenko.)

Hryhoriy Prokopovych, Kuragino, Krasnoyarsk Territory. A search and interrogation were conducted. Letters from L. Lukyanenko, copies of L. Lukyanenko's statements, among them a copy of the statement to the Exarch, were confiscated.

Mykola Kots, Tomsk Region. A search and interrogation. Letters from L. Lukyanenko confiscated.

Bohdan Chuyko, Michurinsk. A search and interrogation.

Vasyl Stus, Matrosovo, Magadan Region, Tenkinsky District. A search and interrogation in February 1978.

At the interrogation, V. Stus wrote down his opinion about political trials in Ukraine -- about the "case" of L. Lukyanenko's group in 1961, about the trials of 1965 and 1972 -- and demanded that this text and the record of the search and interrogation be sent to the Belgrade Conference and the U.N. Commission on Human Rights.

V. Stus was taken for the interrogation to the district center, Ust-Omchug. The interrogation lasted three days. Stus writes that this resembled an arrest. "I do not," he writes, "walk into fire by myself, but if I am thrown in, my tempering will suffice."

Ihor Kravtsiv, Kharkiv. A search and interrogation.

Ma-Khun, a fugitive from China, former inmate of Vladimir Prison, sentenced on a charge of espionage, released in 1976 after six years because the charge was not proven, and exiled to Khabarovsk Territory, where he lives now without the right of departure. Ma-Khun and hiw wife, Kateryna Borovaya (he married after his release), were questioned. The interrogator was interested in where and under what circumstances Ma-Khun became acquainted with L. Lukyanenko; whether letters from L. Lukyanenko and packages with magazines or books had come to Ma-Khun's address (to Khabarovsk Territory). The interrogations took place in the middle of January 1978.

Nadiya Svitlychna, Kiev. An interrogation in January 1978.

B. D. Antonenko-Davydovych (approximately eighty years old), Kiev. An interrogation in January 1978.

During a search that took place on April 23, 1977, an article by Lukyanenko, "Stop the Subversion of Justice," in defense of the sentenced artist P. Ruban, was confiscated from Antonenko-Davydovych. Lukyanenko had sent this article to an official journal published in Kiev. At the interrogation, they were curious how this article had come into Antonenko-Davydovych's possession.

Petro Vins was questioned about Lukyanenko in a Kiev prison on May 13, 1978 (immediately before being sent to camp to serve a term of punishment). Investigator Berestovsky conducted the interrogation about "Memorandum No. 2" of the Ukrainian Helsinki Group -- who was the author of this document, etc. (At the trial of M. Rudenko and O. Tykhy in June 1977, it was said that M. Rudenko was the author of this document. Rudenko himself also said this.)

Oksana Meshko, Kiev. A search and interrogations in January and February, 1978. Investigator Sanko was curious how L. Lukyanenko's articles, "Stop the Subversion of Justice" about Petro Ruban; "An Open Letter to Prof. Ruban"; and "A Year of Liberty," an autobiographical account, had found their way to the West. (See also the statement by O. Meshko in the Appendix.)

Olena Antoniv, Lviv. A search and an interrogation in January 1978. Nothing was found during the search.

Stefaniya Hulyk, Lviv. A search and an interrogation the end of January/beginning of February.

Oksana Svitaylo, Chernihiv. An interrogation. O. Svitaylo is an acquaintance of the Lukyanenko family.

Oleksander Lukyanenko and his wife Valentyna Lukyanenko, Chernihiv. A search and an interrogation. Oleksander is Lukyanenko's brother.

L. Lukyanenko's sister, Horodnyany District, Chernihiv Region. An interrogation on December 12, 1977 (the day of L. Lukyanenko's arrest).

L. Lukyanenko's parents, Khrypivka, Horodnyany District. A search in December 1977.

Anna Golumbiyevska, Odessa. An interrogation on January 30, 1978. A.Golumbiyevska is a teacher and is considered "unreliable." She is not acquainted with L. Lukyanenko.

Pavlo Kampov,Uzhhorod. An interrogation in February. P. Kampov is a former political prisoner who spent six years in places of deprivation of liberty and approximately one year in exile (he was released from exile in April 1977, before completion of the term, because of the serious state of his health; he is an invalid of the 2nd degree).

Vasyl Ovsiyenko, Lenino, Zhytomyr Region. An interrogation. He is a former political prisoner, released in June 1977.

Kuzma Matviyuk, Rivne Region. An interrogation in February 1978. He is a former political prisoner, released in the summer of 1976.

Stefaniya Shabatura, Makushino, Kurgan Region. An interrogation in February 1978. S. Shabatura is a political prisoner, now in exile after completing five years' imprisonment in a Mordovian camp. She is not acquainted with L. Lukyanenko and had not corresponded with him.

Ivan Kandyba, Pustomyty, Lviv Region. On May 4 of this year I. Kandyba was summoned to Lviv to the investigative department of the KGB for questioning as a witness in the case of L. Lukyanenko. Investigator Rufinsky asked about documents of the Ukrainian Helsinki Group that were signed also by I. Kandyba. Among these documents was "Letter No. 2" to the governments of countries which signed the Helsinki Agreements. Kandyba replied that this was the first time he had seen this document; if it was a document of the Group, however, then he would admit to being a co-author. I. Kandyba was also shown an article, "Problems of Dissidence," which had been signed by L. Lukyanenko.

Lidiya Ruban, Cherkasy. L. Ruban is the wife of Petro Ruban, the artist. In August 1977 she was subjected to a body search and interrogation. They took her off a train on her way to Kiev and confiscated several typewritten copies of L. Lukyanenko's article "Stop the Subversion of Justice." Later they questioned her at the KGB. In December 1977, after the arrest of L. Lukyanenko, Lidiya Ruban was again questioned, especially in connection with the article.

Yevhen Obertas, Kiev. An interrogation on March 24, 1978. He is not acquainted with L. Lukyanenko. The interrogation had to do with the "Declaration" of the Ukrainian Helsinki Group. Investigator Sanko conducted the questioning. Earlier, in April 1977, a search was conducted at Ye. Obertas' (in connection with the case of Ukrainian Group members Marynovych and Matusevych) and O. Berdnyk's article, "Sacred Ukraine," and the "Declaration" of the Ukrainian group were confiscated. The search lasted seventeen hours. Several days before the search, Obertas' wife had come back from the maternity hospital.

The Trial of Marynovych and Matusevych

Two more members of the Ukrainian Helsinki Group have been sentenced -- Myroslav Marynovych and Mykola Matusevych, arrested on April 23, 1977. The Kiev Regional Court heard their case in the town of Vasylkiv; the trial lasted three days -- March 22, 23 and 24. On March 27, after a two-day recess, the sentence was handed down: seven years of strict regime camps and five years of exile for each, the maximum sentence under Article 62 of the Criminal Code of the Ukrainian SSR ("anti-Soviet agitation and propaganda"). The case was tried by Judge Dyshel, whose service record includes the cases of Nadiya Svitlychna, Yevhen Sverstyuk, Semen Gluzman, Luba Serednyak, Mykola Plakhotnyuk, Vasyl Stus, Leonid Plyushch, and Georgiy Vins.

The date of the beginning of the trial was kept secret. Family and friends of the accused who were called to the trial as witnesses received notification only on the evening of the 22nd, after the trial had commenced. The building of the Vasylkiv District Court, where the "open judicial proceeding" was taking place in the presence of a "special public," was guarded by a large detachment of militia and druzhynnyky (auxiliary volunteers). At the entrance passes were carefully examined. A large crowd gathered before the building. The curiosity of the local residents brought about extraordinary "security" measures. Those who arrived especially for the trial and demanded that they be allowed to enter were roughly pushed away and threatened with "fifteen days." On the second day of the trial Lyubov Murzhenko was taken to the militia (station), where she was kept until the end of the trial. Some friends of Marynovych and Matusevych also submitted to the court written petitions to be allowed into the courtroom; there was no response.

Also there on the street witnesses from among family and friends of the defendants were waiting to be summoned. Some of these witnesses were not allowed (to remain) in the courtroom after giving testimony, even though, by law, a witness is supposed to remain in the courtroom until the end of the judicial proceedings. On the day the verdict was handed down all working witnesses were not granted leave from work (Matusevych's sister among them).

The trial was conducted almost without the participation of the defendants. At the beginning of the trial Matusevych stated that he did not recognize the court and then was removed from the room for "contempt of court." He was sent back to the KGB prison and returned only for the reading of the sentence. When the sentence was already read, Matusevych asked, "And what about the final statement?"; they but twisted his arms and pushed him out of the room. On the first day of the trial Judge Dyshel told Marynovych, who protested against the closed nature of the trial, that the trial was open but no one had come to it. When the next day, during the questioning of N. Svitlychna, it became clear that the judge had deceived him, Marynovych stopped taking part in the trial proceedings. To the judge's and prosecutor's questions, he replied: "I decline to answer on the grounds that the principle of openness in legal proceedings has been violated." Both defendants dismissed their attorneys, but Karpenko, the court-appointed attorney for Matusevych, did take part in the trial.

"The case" of Marynovych and Matusevych is made up of eight volumes. They were accused of "dissemination of" and participation in the "preparation" of documents of the Ukrainian Helsinki Group -- the "Declaration" and the memoranda, particularly Nos. 2, 10 and 11. In addition to this, Matusevych was accused, under Article 206, Section 1, of "hooliganism." Forty-three witnesses were called to the trial and thirty-six appeared; almost one-third of those were called only to testify about the "hooliganism."

Unlike the trial of Rudenko and Tykhy, at this trial there was no concealment of the fact that mere membership in the Helsinki Group was considered "criminal." During the questioning of Matusevych's wife, Olha Heyko, the judge told her, "If you are a member of the Group, then your place is there," and he pointed to the defendants' bench. The judge asked Oles Berdnyk, also called as a witness, "Where are the archives of the Group kept?" "After we send the documents of the Group to the governments of countries that signed the Helsinki accords," replied Berdnyk, "we burn them, so as not to add to KGB files." (Dyshel angrily asked again and Berdnyk repeated "KGB files.")

Nadiya Svitlychna was questioned about "Memorandum No. 11," which tells about her situation after she had left the camp. She was asked exactly to whom had she relayed information about herself, who put together the memorandum, what was the role of Marynovych and Matusevych. N. Svitlychna replied that she had turned to the Group and not to individual members, and that a copy of her statement to the Central Committee of the Communist Party of the Soviet Union, about persecution and the renunciation of citizenship, had been addressed to the Group. Judge Dyshel read a phrase from her statement: "...After everything I have lived through, I consider it beneath human dignity to be a citizen of the mightiest and most perfect concentration camp." Then he asked, "On what basis do you declare this?" "Today's reprisal against Marynovych and Matusevych best proves this," Svitlychna replied. "Take note, she is insulting a Soviet court, she is slandering here! ..." almost shouted the judge, turning to the prosecutor. This evoked violent indignation from the "public" (which had in other instances cast threatening or insulting remarks at the defendants or some of the witnesses, to which the court had reacted favorably). Somebody clearly said: "Trash! This kind should be tried!" The judge asked Svitlychna: "We have gathered here at an open judicial session, with the participation of assessors, and a defender, in the presence of the citizenry, and you call this a reprisal?" "And you call this an open trial, where neither family nor close friends of the defendants are allowed, where a defendant himself is not even present?" replied Svitlychna. The judge, noting that Svitlychna had been convicted and spent four years in imprisonment, asked her "And this has taught you nothing?" "This is precisely what brought me to the conclusion I made in that letter," stated Svitlychna.

Vira Lisova, the wife of political prisoner Vasyl Lisovy, was called to the trial. In "Memorandum No. 10" the Group had informed that KGB threats and blackmail had brought upon her a serious heart illness (they had demanded that she convince her husband to repent). At the trial

V. Lisova confirmed that as a result of one of a series of conversations with a KGB agent, during which he shouted at her, insulted her and immediately after which she was dismissed (from work), she became bedridden and was in a pre-heart-attack condition. She told friends who visited her, among whom actually were Matusevych and Marynovych, about the reason for her illness. (This cimcumstance proved to be an adequate basis for accusing them of participation in the preparation of "Memorandum No. 10.")

In the matter of the episodes of "dissemination," philologist Mykhaylyna Kotsyubynska (niece of the noted writer) and engineer Yevhen Obertas were questioned and a deposition taken from the writer B. D. Antonenko-Davydovych, who did not appear for reasons of health, was read. The witnesses refused to reveal from whom they had received the documents of the Group, confiscated from them in the course of searches. The judge asked Kotsyubynska why she had kept the "Declaration" -- "Why, is it such a valuable thing?" Kotsyubynska replied that she believes that, at any rate, it merits attention. Ye. Obertas stated in his testimony that he is a friend of the defendants and supports their activities.

Also questioned as witnesses were Matusevych's parents, sister, uncle, cousin, and wife, Marynovych's mother and sister, and his wife, Rayisa Serhiychuk. This guileless approach allowed for them to be deprived, "legally," of the opportunity to be present at the greater part of the judicial sessions.

(Several days before the trial, an article pouring dirt over Matusevych's family and containing ridiculous slanderous tales about the personal lives of members of the family, appeared in the district newspaper *Shlyakh do komunizmu* /The Road to Communism/. On March 19 the article was reprinted in the regional newspaper *Kyivska Pravda* /Kievan Truth/.)

The examination at the trial of Matusevych's "hooliganism" lasted almost an entire day.

The incident which served as the pretext for this charge happened in 1972. Traveling in the Carpathian Mountains with his friends, Matusevych, while in the village of Kryvorivnya, witnessed somebody from a group touring the village make an insulting comment to a hutsul woman passing by on the street. Matusevych stopped the offender and was immediately set upon by the tourists. Matusevych's companions were nowhere near at that moment; he was able to extricate himself and, it seemed, the incident ended. However, afterwards a statement by the leader of the tourist group, H. Makohonenko, turned up at the KGB, according to which Matusevych had cried to the tourists, "Go back to the Urals, Muscovite scum!"; had thrown stones at women and had beaten up one of the tourists, V. Danilov. That was the version that was included in the charge. Why the matter of hooliganism was raised only after four years and ten months (two months before the expiration of the statute of limitations), why the marks of the beating on the "victim" had not been recorded in any way, remains unclear.

Eleven persons from the tourist group testified at the trial. Not all of them confirmed that they had heard the criminal phrase; or, each "recollected" it in his own way. The first of these witnesses "recognized" Marynovych as the hooligan who had attacked them, but after the recess there were no more such slips. Matusevych's companions, the married Obertas couple and Valentyna Hirenko, were also questioned at the trial about this incident. They recounted that they caught only the end of the incident, when Matusevych had already wrenched himself away from the tourists who had fallen upon him. According to the charge, Matusevych had committed his "act of hooliganism" out of nationalistic motives -- simply because the tourists had been conversing in Russian. However, at the trial it came out that V. Hirenko speaks Russian as a matter of course and this did not stand in the way of her friendly relations with Matusevych. (The judge specifically asked her about this when she began to testify in Russian, explaining that she was more used to speaking that way.) The charge under Article 206 (which in Part I stipulates up to one year's deprivation of liberty) had no significance as far as determining the punishment, but was to besmirch Matusevych in the eyes of the man in the street and probably for this reason was looked into so thoroughly. The judge explained at length how the incident was to be characterized -- was it a scuffle, a fight, or an argument. The judge did not forget during the questioning of each witness to ask the "victim" whether he had any questions for the witness, even when the discussion was about the documents of the Helsinki Group. (Danilov solemnly stated that he did not have any questions.)

§ § §

Seven years of camps and five years of exile -- such is the measure of punishment for participation in a movement in the defense of rights. It takes great courage and a great love for people to fight for human rights under conditions of a politics of lawlessness and disregard for human dignity. Almost a year of imprisonment has not broken Mykola Matusevych and Myroslav Marynovych. They have honorably begun their own Way of the Cross, the length of which is twelve years of prison, forced labor, blackmail, hunger!

Biographical Information

Mykola Matusevych was born in 1948 in the village of Matyushi, Bila Tserkva District, Kiev Region. He studied at the History Faculty of the Kiev Pedagogical Institute. In 1972 he was excluded from the fourth year because of "poor progress," but in reality for expressing sympathy for the Ukrainian intellectuals repressed then. During the time before his arrest he had been working as an editor in a publishing house of medical literature in Kiev.

Matusevych's parents and sister live in Vasylkiv. His father, Ivan Petrovych, is an agronomist; his mother, Anastasiya Fedorivna, is a biology teacher at a school; his sister Tamila is an engineer.

Matusevych's wife, Olha Heyko, lives in Kiev, works in the publishing house Radyanska Shkola /The Soviet School/.

Myroslav Marynovych was born in 1950 in the city of Drohobych. He served in the army and has a commendation from the military section. Then he completed the Lviv Polytechnic Institute. Up until his arrest he worked as an engineer in Kiev.

His mother, Lyubov Marynovych, lives in Drohobych; his wife, Rayisa Serhiychuk, lives in Vasylkiv and works as a bookkeeper.

The Trial of Vins

Petro Georgiyevych Vins (born in 1956), member of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords, was arrested on February 15, 1978, and sentenced under Part I of Article 214 of the Criminal Code of the UkrSSR ("leading over a long period of time a different, parasitic way of life").

Set at first for March 28, the trial was not held on that day "in connection with the non-delivery of the defendant for trial" and was moved to April 6. (It is assumed that the trial was moved because a group of American congressmen, which had come to the USSR, was planning to visit Kiev at the end of March.)

On April 6 P. Vins was tried in the Podillya District Court. The courtroom was filled in advance with "extras" from the KGB; Vins' friends were told, "There is no room." In response to their resolute demands, supported by N. I. and L. M. Vins, P. Vins' mother and grandmother, the militia drove them back from the doors and down the stairs. At this time a friend of Vins', M. Mamsikova, managed to enter the room (later, during a recess, they attempted to detain her but N. I. Vins prevented this). Petro's sisters, Yelysaveta and Nataliya, were dragged from the room after they, the first from the family to enter, tried to give the judge a statement about the violation of the openness of the trial. They were taken to the militia. P. Vins' mother and grandmother, who interceded on their behalf, were also forcibly removed from the courtroom. The grandmother, Lidiya Mykhaylivna Vins, was later allowed into the courtroom. The mother, Nadiya Ivanivna Vins, was a witness and remained at the trial after her testimony.

While the inquiry in the courtroom continued, the militia and the KGB were making short work of those who remained outside. They took three persons (besides Vins' sisters) to the militia, where they detained them until evening. They were Ya. Borodovsky, Candidate of Medical Sciences, V. Malynkovych (a possible witness) and A. Tverdokhlyebov, who had recently returned from exile and who had come down from Moscow. They also tried to detain

H. Tokayuk, but Kiev Baptists present at the trial were able to prevent this.

A week before the trial P. Vins' friend, Petro Draha, was grabbed on the street and arrested for fifteen days for "disturbing the communal peace." Early on the morning of the trial, Valeriy Nadyuk was detained "on suspicion of theft" (when the trial ended, the suspicions were dropped). V. Nadyuk could have testified that the release of Vins from his last job as lighting technician had been unlawful: P. Vins had been told that his position was being eliminated in connection with the remodeling of the building, but the remodeling did not occur for a long time and V. Nadyuk was hired for that same position.

At the trial, in addition to Vins' mother, eight witnesses testified. They supported the charge of a "parasitic way of life" with such testimony as "I saw him strolling about," "He dressed well," "He walked about with a handbag," and the like.

The court-appointed defense counsel, attorney N. A. Shafransky, submitted a petition in which he pointed out that the investigation had been one-sided and unobjective. In fact, the one-month deadline that the militia had granted P. Vins on December 1, 1977, for locating another job had not passed. He spent almost one month under arrest (the "case" file mentioned only the first 15 days). Then, not yet recovered from a twenty-day hunger strike, which he had kept while under arrest, P. Vins traveled to Yakutia at the end of January for his annual visit with his father. The visit was necessary, particularly so that he could receive his father's permission to go abroad on an invitation that had come from Canada. P. Vins returned from the visit on February 13 and was arrested a day later. The attorney also showed that in the "case" file P. Vins was described as being practically healthy, regardless of the fact that the military registration and enlistment office had taken him off the register on account of his state of health, that during his childhood he had undergone serious operations, and that during his stay at the special processing room under administrative detention emergency /medical/ aid had to be summoned several times. The attorney asked to remand the case for additional investigation. His petition was denied. The court also denied the attorney's petition to summon the witness V. Malynkovych, as the doctor who had lately attended to P. Vins.

P. Vins declined to testify in court and to answer questions, stating that the trial was unlawful. In his "last word" he said that already a year ago, after he joined the Helsinki Group, KGB agents had threatened him with reprisal, and now this threat was being carried out. He noted that he represents already the third generation of the Vins family to suffer persecution: his grandfather, the Baptist leader P. Ya. Vins, died in a camp in 1943; his grandmother, L. M. Vins, was exiled to Siberia and in 1964 was sentenced to three years' imprisonment; his father, H. P. Vins, was sentenced to five years of camps and five years of exile.

The court, recording in the verdict that P. Vins had not secured for himself a job during the course of two and one-half months after a warning from the militia, set the maximum punishment -- one year deprivation of liberty in a general regime correctional labor colony.

At the end of April the Kiev city court re-examined the case, appealed by the attorney, who requested that the verdict be overturned in light of the incompleteness and one-sidedness of the inquiry and the judicial investigation, and upheld the verdict.

§ § §

On May 13 Petro Vins was questioned in Lukyanenko's case by KGB Major Berestovsky. On May 14 Vins was taken to a camp in Rivne Region, uchr. /Institution/ OP-318/76 to serve his sentence. (This camp and the brutal treatment to which P. Vins was subjected there are described in the section "Political Prisoners.")

Those Sentenced for Political Reasons, /Held/ in Political Camps, Camps for Petty Criminals, and Special Psychiatric Hospitals

Strict regime political camps (correctional labor colonies for "especially dangerous state criminals")

Mordovia, Camp No. 19.

Mykola Rudenko, writer, founder and leader of the Helsinki Group in Ukraine, who is serving his sentence in Camp No. 19 in Mordovia, had his case reviewed by a commission at the beginning of this year. Now he is considered an invalid of the second degree and works as an orderly in the barrack; he tidies up, washes floors, lights the stoves. This work is considered light and within the capabilities of an invalid of this category. The poems he writes are subjected to censorship directly in the camp; even lyric poetry is confiscated.

He declared a hunger strike in protest, and in three days they returned to him some of his confiscated poetry.

On May 5 Rudenko's wife and a close acquaintance of his arrived for a joint visit.

They let the wife in for the visit but turned the acquaintance down.

M. Rudenko joked bitterly: "Here is splendid order! In the fall, when the 60th anniversary[3] was being celebrated, they gave out a prize to some prisoners, participants in war. Not a big one, but they gave it out ...."

"What participants?"

"Former policemen /under the Nazis/, traitors, informers, those who coopérated with the Gestapo. To each -- gratitude from the Soviet state. And a small gift for the anniversary -- two-three rubles for the kiosk. That's how it is."

"And for you?"

"What's the matter with you? Me, I'm a different story; during the Patriotic War /WW II/ I served through the Leningrad blockade as a political commissar. I received the Order of Lenin then and, in addition, I'm an invalid of the second category -- I 'don't have it coming.'"

Political camps of the Urals (Perm Region), Institution VS-389. Located here are camps Nos. 35, 36, 37, in which, taken together, there are at present approximately 150 prisoners.

In Camp No. 36, the construction of a new two-story headquarters is being completed (near the forbidden zone). Many prisoners consider this to be a "penal" camp. Here they punish often and without formal justification -- they take away the right to receive parcels, visitation rights, the right to buy products at the stand; they put prisoners in the intra-camp prison, under strict regime (PKT) or in the lockup (shizo). Especially distinguishing himself in this regard is the deputy chief of the camp in matters of regimen, Major Fyodorov. Some political prisoners proclaimed a boycott against him. Representatives of the KGB -- Rozhkov, a supervisor, and the man in charge of operations at the Skalny Ukr. KGB, Chepkasov -- exhibit a marked influence on demands made of political prisoners and the treatment of some political prisoners, who have been singled out especially. The punishments, often /inflicted/ without reason, evoke mass protests by the political prisoners. Up to ten-twelve persons take part in hunger strikes and strikes in protest; at the same time, the prisoners submit individual statements of protest to Soviet party organs. Ukrainians, without fail, are also among those protesting. Lately the prisoner is at first placed in the PKT or shizo, and only there is he read the order, the determination of punishment; in this way, the formal reason for punishment is unknown to the prisoners remaining in the zone and it is harder to bring about acts of protest.

A visit with prisoner of conscience Oleksander Serhiyenko, an inmate of Camp No. 36. On the morning of June 10th the mother and the wife of O. Serhiyenko, Oksana Meshko and Zvenyslava Vivchar, arrived for a regular (personal) visit. (A prisoner of a strict regime camp has the right to one personal visit a year. This right can be taken away as punishment.) The wife and the mother were forced to wait two days, and only on the twelfth were they allowed a visit -- one day, even though in the last months Serhiyenko had not had any reprimands (the length of a personal visit is from one to three days; in each specific case the length of a visit is determined by the camp administration).

On June 10th the mother and the wife of O. Serhiyenko, having waited for the head of the camp Zhuravkov for almost six hours, turned to him with a plea to decide the issue of the visit. Zhuravkov replied that he would send them to the militia "for importunity"; he also said that he "does not know anything" because "one is on leave, the other isn't around" (referring to the absence of the KGB employees, without whom he does not decide these questions independently).

Before and after the visit a detailed personal search of the women was made, cruel and degrading. They were forbidden to take with them to the meeting a small bouquet of carnations, although flowers are not forbidden by law.

Serhiyenko is still ill, but he refuses treatment in the camp hospital because he became convinced that it was aimed at undermining his health. The camp doctor, Yuzhakov, a dentist who recently appeared in the zone, on Serhiyenko's request pulled a tooth for him; the operation turned out to be complicated, a canal infection developed that wouldn't heal, and his temperature rose. Doctor Petrov placed Serhiyenko on a diet.

Valeriy Marchenko, a journalist (from Kiev) who is serving his sentence in Ural camps /Nos./ 35 and 36, was "in preventive detention" in the Kiev KGB prison from September 1977 to March 1978. They demanded a "confession" from him -- statements renouncing and denouncing his views, and the like. Into this they also dragged V. Marchenko's mother, who fears for his health -- Marchenko suffers from a severe chronic ailment of the kidneys (see Appendix). Before his arrest (in 1973) he was regularly treated at the Kiev Amosov Institute /of urology/ and is registered there; in 1977, a form with questions about the nature of the course the illness was taking and the effectiveness of the treatment was sent from this institute to his place of residence before the arrest. (See Appendix for the response to this form, Marchenko's letter to the director of the Institute of Urology.)

Vasyl Lisovy (from Kiev), a philosopher and Candidate of Sciences sentenced on charges of "anti-Soviet agitation and propaganda," who had been serving his sentence in Camp No. 36, was transferred to Camp No. 35. At that time V. Lisovy's friend, Yevhen Pronyuk (a philosopher from Kiev), who is suffering from tuberculosis, was transferred from Camp No. 35 to Camp No. 36.

In extremely serious condition is Mykhaylo Slobodyan, a prisoner of conscience who is serving his sentence in Camp No. 36.

Last year he was sent to the hospital in very serious condition. (A severe exacerbation developed after he, already ill, was put to work carrying boards and rolling logs to a sawmill. Slobodyan was assigned to this job by Major Fyodorov, who did not even give him a chance to get to a sanitary section.) Slobodyan has a bleeding ulcer of the duodenum and a serious ear ailment -- often pus flows out and he is almost deaf in one ear. Slobodyan developed his illnesses at the places of deprivation of liberty. After his release from the hospital, Slobodyan's health in winter and spring of 1978 remained poor; nevertheless, he was not hospitalized nor was he released from work. He was punished for not fulfilling production quotas and at the beginning of March of this year was even thrown into the lock-up (shizo) for this.

In the middle of March a massive hunger strike was staged at the camp in support of a demand that Slobodyan be hospitalized and provided with a qualified medical examination and care.

Yevhen Sverstyuk, philologist (from Kiev), a prisoner of conscience who is presently in Camp No. 35, was at the end of 1977 deprived of the right to receive a parcel. (A prisoner in a strict regime camp has the right to receive a parcel after serving half of the assigned term of deprivation of liberty -- one package per year, weighing up to 5 kilograms, the contents strictly controlled. This right may be taken away as a "means" of punishment. For what "violation of the regimen" Yevhen Sverstyuk was deprived of a parcel, we still do not know. At the end of February or the beginning of March, Ye. Sverstyuk was subjected to a new punishment -- he was placed in the intra-camp prison under a strict prison regimen for four months.

Dmytro Verkholyak, presently in Camp No. 35, at the beginning of 1978 sent a complaint to the Supreme Court of the UkrSSR that he had been tried unfairly, without proof. D. Verkholyak's twenty-five-year prison term ends this year.

General Regime Regular /Non-Political/ Camp. Rafalivka Station, Rivne Region, Institution OR 318/76.

Vasyl Barladyanu has been in this camp since the summer of 1977 and Petro Vins since May 1978 (see "The Trial of P. Vins").

The prisoners here work without days off; officially, Sunday is an off day, but the Sunday output is recorded for Saturday. The water from the rock quarry, where a part of the prisoners work, is not pumped out. There are no drying apparatuses. The prisoners' bedding and linen are in an unsanitary condition; the bedding and linen are not sterilized; there are lice in the barracks. The prisoners do not receive onions or any other vegetables. The sick who apply to the sanitary section are subjected to cruelties. Thus, for example, a doctor tells a patient who has come for outpatient treatment: "Wave your arm -- the right one, the left. Very good. Well, open the doors, let this birdie fly out of here! ..." Prisoners are brought out for visits in markedly ugly clothing -- worn cotton trousers of some indistinct whitish-gray color, with only one button; instead of a belt, they are held up with rope; the length of the trouser legs is barely to below the knees.

There are often instances of the killing of prisoners.

Petro Vins, on the first day of his arrival in camp, May 14th of this year /1978/, was beaten by ensign Furlyet; in the camp "closet," where P. Vins was to receive his camp uniform, ensign Furlyet unexpectedly threw him to the ground and began to kick him and beat him with his feet, because P. Vins was attempting to pick out clothing his size. P. Vins jumped to his feet and shouted, "How dare you beat me? Who gave you the right?"

On June 10 P. Vins was again beaten -- brutally, beyond recognition. After this they threw him into the lock-up (shizo). Petro Vins proclaimed a hunger strike, demanding a stop to the beatings.

P. Vins' family, learning of the incident only in the days June 20-29, sent a telegram to Brezhnev, Kosygin, the Minister of Internal Affairs and the Prosecutor-General of the USSR, demanding a stop to the cruel, brutal beatings. P. Vins suffers from chronic illnesses and he has undergone five operations. At present his life and his health are in danger. The responsibility falls on the authorities of the USSR.(For the telegram of the Vins family, see Appendix).

Vasyl Barladyanu had a personal visit with his wife and daughter from the 17th to the 19th of May. He looks very bad, suffers from heart pains and headaches; his trophic functions and feeling in the right arm and right leg are impaired.

V. Barladyanu's wife, Valentyna Barladyanu, sent the Minister of Internal Affairs of the UkrSSR a statement-complaint about the poor medical treatment for her husband. After this, at the end of February 1978, V. Barladyanu was examined by a medical commission, which included, among others, a doctor from the Dnipropetrovsk SPH (Special Psychiatric Hospital); they measured his blood pressure, chatted with Barladyanu, and asked him to sign a record of the medical examination. He declined. At the end of April of this year Valentyna Barladyanu sent a complaint to the Minister of Internal Affairs of the USSR,Shchelokov.

In a Special Psychiatric Hospital

Mykola Plakhotnyuk, having spent many years in the Dnipropetrovsk SPH /Special Psychiatric Hospital/, was transferred in 1977 to the Kazan SPH. During the past year, on the recommendation of the psychiatrists of the hospital, the Kiev regional court twice reviewed the issue of changing the form of M. Plakhotnyuk's forced psychiatric treatment, in connection with an improvement of his mental health. However, the court -- Judge Dyshel -- rendered a decision for the continuation of forced medical treatment. On April 6 of this year the Supreme Court of the UkrSSR decided to extend the forced treatment of M. Plakhotnyuk, with his transfer to a psychiatric hospital of a general type (a community hospital) in Kiev, or in the village of Hlevakha on the outskirts of Kiev. M. Plakhotnyuk writes (letter of May 5), that the administration of the Kazan SPH has already reserved an order for his transfer to the Kiev psychiatric hospital.

In Exile

Vyacheslav Chornovil has been sent into exile in Yakutia, in the small Yakut settlement of Chappanda. It is difficult to get there; most of the trip must be made using air transport. (Chornovil served his deprivation of liberty sentence in Mordovia, in a strict regime camp. He suffers from several severe chronic illnesses.) Here are some excerpts from his letters:

> I arrived at the place on March 2, having departed on January 11 .... The entire way I 'kept rolling out my rights' -- that one cannot be kept in transit for more than 10 days ....
>
> .... They brought me to the militia (in Nyurba) and declared that they would send me 25 kilometers away to a division of the state farm for use in heavy physical labor. I replied that I would rather remain in Nyurba, where the living conditions are somewhat better

(in this Chappanda there is not even a cafeteria, and in the store -- flatfish in tomato /sauce/ and sea cabbage ...), and that I cannot work at physical labor because of the state of my health. (I have arthrosis of the shoulder joint and chronic pharyngitis. Even the unkindly camp medics had established limits on work.) They replied that the only place they could give me living quarters was Chappanda (if you could see those living quarters!). And there is no non-physical work in this district, and even persons with higher education (wives of pilots and geologists) are forced to sit without work or set themselves up as cleaning women.

I wrote ... I make the rounds of personnel offices, searching on my own for work, but there everyone has already been warned ...

I have been working since May 10 ... a "general worker" used in light physical jobs ... I pick over potatoes, a third of them rotten. The smell, the cold (usually between -2° to +3°/C./), the rawness. I found out from co-workers that they receive 20-50 rubles a month (this is after figuring in the 60% northern differential)... If I don't receive the guaranteed 112 rubles, I will put in a request for release ....

Several days ago the director of the local secondary school called a meeting of teachers, at which he officially forbid them to visit me and talk to me, revealing to the teachers present that there is equipment set up in my apartment which hears and sees everything, and in Nyurba they sit before a screen and observe ....

... I am also demanding a transfer to Southern Siberia, where the other exiles are, inasmuch as the climate here is not suited to my health ....

In March they allowed Chornovil to go to his seriously ill parents; his mother already had apoplexy. Still, they let him off for only seven days, from March 20 to 27. Recently, V. Chornovil's brother died. His sister is sick with tuberculosis and needs an examination, but cannot leave her gravely ill mother (after a second stroke) and sick father. He was not permitted to extend his visitation period (see Appendix, "Chornovil's Statement to the Ministry of Internal Affairs").

Vasyl Stus, Magadan Region, Tenkin District, the Matrosov settlement. In the last days of May, V. Stus received news -- by an officially certified telegram -- that his father, who lives in the city of Donetsk (Ukraine), was near death. Given the existing situation, Stus should have been given leave for a period of time to see his father. Nevertheless they would not give him leave and on May 31 even held him under arrest for a day in the KPZ (preliminary detention cell). V. Stus' friends, finding out what was happening, requested and demanded that he be given leave to go to his father. Telegrams were sent to Chairman of the KGB Andropov, Minister of Internal Affairs Shchelokov, as well as the heads of the KGB and District Department of Internal Affairs of Tenkin District. Among those who sent telegrams were political exiles V. Chornovil, Stefaniya Shabatura, Iryna Kalynets (in support of their demands, they began a hunger strike; V. Stus himself also stayed on a hunger strike), as well as the academician and Nobel Prize laureate A. D. Sakharov. On June 7 V. Stus was finally allowed to fly to Donetsk ....

Here is the text of one of the telegrams:

> Yesterday I appealed to you, today I protest the unhuman attitude and the refined cruelty of the Tenkin administration, which acts not without your knowledge. I declare a hunger strike in protest and demand that you give leave to the political exile V. Stus to go to his dying father. Stefaniya Shabatura.

Addresses of the exiles:

Shabatura, Stefaniya Mykhaylivna — Makushino, Kurgansk Region, 76 Damyan Byedny Street, Room 12, Dormitory PMK-37. Mailing address: 64160, Makushino, Kurgansk Region, Post Office, General Delivery.

Stasiv-Kalynets, Iryna -- 673433, Undino, Balyeysk District, Chytynsk Region, 132 Sovyetskaya Street, Apt. 2.

Stus, Vasyl -- 686071, Magadan Region, Tenkinsky District, Matrosov Settlement, 37 Tsentralnaya Street, Room 33.

Chornovil, Vyacheslav Maksymovych -- 778258, Yakut ASSR, Lenin District, Chappanda, Post Office, General Delivery.

The Situation of Former Political Prisoners

The decree of the Presidium of the Supreme Soviet of the USSR of July 26, 1966, relating to administrative surveillance (overt surveillance by the militia), allows the prolongation of surveillance over a released prisoner for six months at a time, until the closing of the record on the case. Pursuant to paragraph 8, Article 5 of the Criminal Code of the USSR /should be Ukr. SSR/, in order to close the record on a case, the approval of the court is necessary, the basis of which should be a conclusion that the former prisoner has stepped onto the road to reform. In the case of prisoners of conscience -- persons sentenced for their convictions -- a sign of "reform" is a rejection of one's views.

In this way some former political prisoners are faced with the alternatives of renouncing their views -- renouncing themselves -- or of eternal official non-freedom, eternal overt surveillance by the militia.

Although in the Soviet Union there is no law about exclusion from a profession, persons who had been sentenced to and served a term on political grounds are often denied the opportunity to work in the field of their specialization; primarily this pertains to persons with a higher education.

The village of Pustomyty, Lviv Region. Ivan Kandyba (a member of the Ukrainian Helsinki Group) has been under administrative surveillance for over one and one-half years already. On March 23 of this year, the third half-year term of surveillance expired. There was no formal justification for its extension; I. Kandyba strictly observed the regime prescribed for him. On March 22 they acquainted him with a new decision for extending surveillance: "At this time, on the basis of available materials, it is evident that the one under surveillance consciously does not want to step onto the road of correction." This was preceded by the following:

On January 30 I. Kandyba's local "guardian," Captain Polishchuk, summoned him to the militia, where he informed him that two Austrian citizens appealed to the authorities of the USSR to allow I. Kandyba to leave the USSR. (Back in 1976-77 reports that I. Kandyba wished to leave the USSR because of the persecution to which he was being subjected received wide publicity. It was also reported that the authorities are not giving I. Kandyba permission to emigrate.) Captain Polishchuk advised I. Kandyba to publicly reject the aid of persons unknown to him. Kandyba refused. He said: "I will be grateful to any foreigner who will help realize my right to emigrate from the USSR."

On March 20 Captain Polishchuk summoned I. Kandyba for a "conversation," and let him understand that the extension or the removal of surveillance would depend on Kandyba's "behavior," on what he "will do good for the Soviet state." Polishchuk proposed that Kandyba publicly censure "his mistakes and errors, perpetrated along with friends." "It is time to change your views," Polishchuk informed him, "they hinder you in making a normal life for yourself."

Ivan Kandyba did not draw the "appropriate" conclusions; subsequently, administrative surveillance continued for another half year, to September 23, 1978, with an even stricter regime than before:

In 1976 he had to be in his apartment from 9 P.M. to 7 A.M.

In 1977 he had to be in his apartment from 8 P.M. to 7 A.M.

In 1978 he had to be in his apartment from 7 P.M. to 7 A.M.

"The goal of the surveillance," as L. Lukyanenko wrote in his statement to the Supreme Soviet of the USSR "is to place a person -- with the help of petty faultfinding -- on the brink of a trial for violating the rules of administrative surveillance, ... and, by keeping him under constant nervous pressure, not give him a chance to engage in civic activity, isolate him, and gradually bring him to his knees ...." This is what they are now trying to get from I. Kandyba.

Here is another example of the pressure methods: On April 24 Kandyba was visited by his own brother. They met in the center of the village and went on to the apartment. Immediately behind them arrived lieutenant Mahurat of the district internal affairs division to check the documents. It turned out that the brother did not have his passport, so they drove him to the militia for identification and demanded a written explanation.

April 27. "Guardian" Polishchuk came to Kandyba at work with a strict warning not to commit any subversion during the May celebrations.

On April 30 the heating season ended at the school where Kandyba works as a stoker; on May 4 they dismissed him -- Kandyba was left without a job.

May 4. A summons to Lviv to the investigative division of the KGB in the matter of L. Lukyanenko; they asked about documents of the /Helsinki/ Group, signed by Kandyba.

May 5. "Guardian" Polishchuk summoned him for a "conversation" and hinted that finding a job would depend on I. Kandyba's "behavior."

Kuzma Matviyuk, sentenced on charges of "anti-Soviet agitation and propaganda"(to four years' deprivation of liberty; he served his sentence in a strict regime camp in Mordovia) and released in the summer of 1976, is presently unemployed. His difficulty in finding a job is grounded in political reasons.

K. Matviyuk has a higher technical education, and until his arrest worked as a teacher at an agricultural technical school in the city of Uman. After his release he was not allowed to return to Uman; he was forced to settle in the town of Oleksandriya, where he and his family (wife and two children, one of them a newborn) were forced to huddle in one room in raw and cold basement lodgings. Not until six months after his release did he succeed in finding a job, in a position as technician-designer. In August 1977, when he was released from administrative surveillance, K. Matviyuk moved to the village of Shubkiv in Rivne Region, where he received a job (research assistant) at an agriculture research station and where he had been promised an apartment. He was accepted at the job very willingly, very gladly, because there are not enough specialists. Nevertheless, soon after he refused to come out with statements the KGB was demanding, Matviyuk was fired. He and his wife (a biologist) were accepted at jobs in an agricultural research station in Khmelnytsky Region; yet after several days -- obviously, after appropriate orders from the KGB -- Matviyuk was denied the job and his family was denied an apartment.

In March of this year Matviyuk appealed on the matter of employment to the Presidium of the Supreme Soviet of the UkrSSR and to the Prosecutor of the UkrSSR. It was explained to him that he cannot engage in scientific work or teaching (he wouldn't be allowed to) because of his "political" past. The Presidium of the Supreme Soviet can help him get a job, but it cannot prevent a release if it is inspired by the KGB.

Presently Matviyuk is living with his family in the one-room house of his mother, who is suffering from an open form of tuberculosis.

Address: Ilyashivka, Novokonstantyn /should be Starokonstantyn/ District.

Vitaliy Kalynychenko (a member of the Ukrainian Helsinki Group) was arrested on April 7 of this year and punished with two weeks' imprisonment for "hooliganism." This /hooliganism/ consisted of Kalynychenko's refusal to go to a meeting where a draft of a new constitution of the UkrSSR was to be discussed. (Kalynychenko, a former political prisoner who was released in the spring of 1976 after ten years' deprivation of liberty, has been under administrative surveillance from the moment of his release. He is trying to obtain permission to emigrate from the USSR; in 1977 he renounced his Soviet citizenship.)

Persecution for Ideological Reasons

Borys Melnyk, Kiev, a cab driver. In April 1978 he was summoned to the KGB several times as a result of "anti-Soviet" conversations which he allegedly had with his passengers.

KGB agents conducted a search at the end of March at Myroslav Hadvo's /apartment/ (village of Butyny, Sokal District) and confiscated a photocopy of the Russian-language translation of a book by Tivoli (Italy), The Catechism of a Seeker of Truth. In connection with this, M. Hadvo was interrogated at the KGB several times during March and April. The interrogator tried to force him to confirm that the confiscated book belonged to his son, Vasyl Hadvo, who lives in Lviv. M. Hadvo refused to give such testimony.

Vasyl Hadvo (city of Lviv) was questioned at the beginning of 1978 at the Lviv regional KGB, the KGB insisting that he is secretly studying to be a Ukrainian Catholic priest. V. Hadvo replied that this is gossip and that he is doing nothing of the sort.

Vadym Skuratovsky (Kiev), literary critic and employee of the journal Vsesvit /The Universe/, was released at the end of April from the position he held. This happened after the publication of his article (in the third issue of the above-named journal), "Shevchenko in the Context of World Literature." At first they charged that his article was "ideologically alien." Then they accused him of "plagiarism."

Hryhoriy Minyaylo (Kiev), a biophysicist and director of the motion picture and television laboratory at the Academician Starezhko Institute, was released from work (fired) on April 24. This happened the day after Minyaylo had organized a visit by two doctors-specialists to the seriously ill mother of political prisoner V. Chornovil (Chornovil is now in exile in Yakutia). During H. Minyaylo's absence from the laboratory, for which he is materially responsible, an inspection was conducted and a costly lens for an imported apparatus found missing.

Yevhen Obertas. In May 1978, on the initiative of the KGB, the issue of Ye. Obertas' "conduct" at Matusevych's trial (end of March 1978) was raised at a general meeting of the collective of the Kiev Institute of Electrodynamics (where Ye. Obertas works). Appearing as a witness at that trial, he had declared his loyal and friendly relationship with the defendant, who was his friend. The meeting condemned such conduct as "hostile to Soviet order." It was proposed that Ye. Obertas disclaim his remarks at the trial, write an appropriate statement, and in this way "correct" his "behavior." The meeting gave Ye. Obertas a certain period of time (deadline) for the "correction." (About Ye. Obertas see also the section "The Investigation in the Case of L. Lukyanenko.")

Yevhen Stepanovych Hrytsyak on February 18, 1978 once again appealed to the Supreme Soviet of the UkrSSR with a plea to allow him and his family to leave for permanent residence abroad (he has an invitation from Israel). By May 1978 he had not yet received a response. Hrytsyak is married, and has two children. He is a former political prisoner -- he was sentenced on the charge of "anti-Soviet agitation and propaganda." After serving his sentence and returning from imprisonment, he worked as an engineer at a factory. They were pleased with his work; he received awards, and was written up in local newspapers as a talented and competent specialist. But after he first revealed his desire to leave the country and stubbornly continued his efforts to obtain permission to leave, the persecution and hounding began. He was released from work, and in newspapers in Western Ukraine articles appeared which slandered and defamed Ye. Hrytsyak. At the present time he is unemployed, and lives in a village in Snyatyn District, Ivano-Frankivsk Region. He suffers from heart ailments.

On March 22, 1978 the Supreme Court of the UkrSSR affirmed the verdict handed down to Vadym Smohytel -- three years' deprivation of liberty, on charges of "malicious hooliganism." (The charge is fabricated; Smohytel is being persecuted for political reasons. The criminal prosecution of V. Smohytel is connected with his desire to emigrate from the USSR. (See "Information Bulletin No. 1.") In "Information Bulletin No. 1" there was a mistake: Smohytel did not direct the Kiev University choir (the director was Neradenko); he was closely connected with this choir and took part in its activities as a musician and composer. In 1965 /should be 1963/ together with the poet Vasyl Symonenko and the artist Alla Horska, both now deceased, V. Smohytel took an active part in this choir's march along the banks of the Dnipro to Kaniv, to Taras Shevchenko's grave. After the trip V. Smohytel was dismissed from the Kiev Conservatory for holding concerts of Ukrainian songs in the villages; he moved to Volyn, where he organized a choir at one of the collective farms and was its director for a year and one-half.

The Death of the Artist Rostyslav Paletsky

On March 10, 1978, the artist Rostyslav Paletsky was killed in his home in the village of Troyitske in Odessa Region.

According to available information, on that day a suspicious-looking man, resembling a criminal, came to his house. Paletsky's neighbors recounted how he had vodka with him and was trying to force Paletsky to drink with him. When the latter refused, the stranger began to beat him. Paletsky's wife, Mariya Lazarivna. having returned from work, found her husband already dead, lying in a pool of blood with a cracked skull. It was also revealed that he had broken ribs.

The authorities are spreading the version that R. Paletsky died from a brain hemorrhage, having fallen and hit his head in a drunken state. Lately rumors have been spread in the village that the Paletsky couple were hopeless drunks. The militia is conducting an inquiry, for the duration of which M. L. Paletska is forbidden to leave the village.

Rostyslav Paletsky was forty-seven years old. He was in the bloom of his creative powers and continued to create paintings which always attracted the viewer with deep content and vividly expressed national color. He is well known both in Ukraine and outside its borders; he had even enjoyed official recognition. Still, not one newspaper -- not even a district or regional one -- published his obituary.

According to not entirely exact information, the paintings of R. Paletsky were exhibited abroad. It is known that he intended to apply for emigration from the USSR.

The tragic death of R. Paletsky evokes the painful memories of the untimely death of Alla Horska, the talented artist-monumentalist who was killed in 1970 under circumstances which sharply contradicted the official explanation of the causes of her death. The loss of both these artists, who managed to say their inimitable word in Ukrainian art, is a national loss.

Concerning Heliy Snyehiryov

On March 30, 1978,H. Snyehiryov was transferred from a KGB investigations prison (Kiev, 33 Volodymyrska Street) to Kiev's Zhovten Hospital. He has paralysis of the lower half of his body.

On April 1 the newspaper Radyanska Ukrayina /Soviet Ukraine/ published an article /entitled/ "I Am Ashamed and I Condemn," whose author allegedly was H. Snyehiryov.

This article was reprinted by two Soviet newspapers -- by Literaturnaya Gazyeta /Literary Gazette/ on April 12, and by Visti Ukrayiny /News from Ukraine/ on April 6. In that newspaper, which is intended for Ukrainians living abroad, a phrase was omitted in the above-named article, in which the paralyzed H. Snyehiryov thanks KGB investigators "for the skillful medical aid rendered ...."

No one from among relatives and friends was allowed inside the hospital. His wife was able to see him through a window.

After several days he was transferred to the People's Research Institute of Neurosurgery for an operation (for a cancerous tumor in the area of the spine).

After the operation in the area of the thoracic vertebrae, performed on either April 10 or 11, he was again returned to the Zhovten Hospital. Now his wife was allowed into the ward. They suggested that she take her husband home; however, not having the opportunity of organizing the proper medical care at home, she would not risk agreeing to this. As it became known, Snyehiryov is not the author of the confession that was published in the newspapers.

In reality, while in the investigations prison and after he had already become paralyzed, he had written: "... I promise not to take part in any political appearances and ask to be sent to a hospital for treatment...."

Snyehiryov is 50 years old; before his arrest he was in the prime of life and healthy, except for a serious disease of the retina. According to the doctors' prognosis, H. Snyehiryov's condition is hopeless. However, his senses are clear and the upper part of his body and his arms are functioning.

The Ukrainian Public Helsinki Group prepared the following statement concerning H. Snyehiryov, dated April 7, 1978.

To:
The Prosecutor-General of the USSR
The International Red Cross
The UN Commission on Human Rights

An Open Letter

We direct the attention of the Office of the Prosecutor-General of the USSR, and also competent international organs concerned with human rights, to the crying fact of the criminal actions of the prison doctors of state security /organs/ in Ukraine.

The essence of the case is as follows:

In October 1977, the Ukrainian writer Heliy Snyehiryov was arrested by agents of the KGB of the Ukr SSR on charges of anti-Soviet activity. On October 29, 1977, he declared a hunger strike in protest. On the ninth day they began to force-feed him, although he continued his hunger strike for twenty-nine days. As a result of the torment and coercion, Heliy Snyehiryov was struck by paralysis and turned into a 100-percent invalid.

Exploiting the catastrophic state of the writer's health, investigator Chorny and other agents coerced him into writing a penitence, and then transferred him to Kiev's Zhovten Hospital. Friends and acquaintances are not allowed near him and there is a basis for believing that H. Snyehiryov finds himself on the edge of death.

International practice of malnutrition therapy long ago arrived at the conclusion (and all doctors know this) that coercive feeding of a fasting person is criminal, intolerable, and often ends in death (let us recall just Gogol's death from the forcible interruption of his fast).

Even in the most despotic countries, protest fasts are regarded seriously; indeed, they are the only spiritual weapons of people who have been completely isolated from the world. Only monsters can decide to cut short crudely a protest fast, exposing a person to emotional humiliation and lethal danger. Such facts in our country's prison practices are commonplace! This is why the tragic result of Heliy Snyehiryov's fast compels us to turn to the doctors of the world with an appeal to protest against the criminal actions of the doctors-monsters of the organs of state security.

We demand that the Office of the Prosecutor-General of the USSR investigate the case of Heliy Snyehiryov and bring the guilty ones to stern justice.

Ukrainian Public Group to Promote the
Implementation of the Helsinki Accords

April 7, 1978

/1/ L. Lukyanenko. Three Letters to Vasyl Stus.

/a/ Good day, Vasyl!

I received your letter within the last few days. Thank you. I wonder how things will turn out for you at the new place.

I correspond with several exiles. They write that things are difficult. Relatively speaking, there is greater freedom than there was behind barbed wires, but the conditions of everyday life are so difficult that any kind of creative work is practically impossible. Some perform a good deed if only with detailed accounts of the conditions of everyday life. Recently I read a letter from Mykola Kots. He writes that Volodymyr Vasylenko /could be Vasylyk/ -- from Tysmenytsya, near Ivano-Frankivsk -- is going to be tried for some kind of criminal nonsense. He is a very rash person and probably got into some kind of argument or fight. But then, God knows. It's a pity that he /Kots/ is still wasting away in those faraway, foreign, desolate, cold snows. You probably do not know him, because he is from Barashevo /in Mordovia/; he moved to the Urals in 1972, and then from there went into exile.

Do you, by any chance, know Hrytsko Prokopovych?

He is in Krasnoyarsk Territory. This summer he should be leaving there for Ukraine.

In Vladimir Prison Mykola Budulak /Sharygin/ told me a lot about you. He said that you have problems with your stomach. Do you suffer from any other ailments? Regretfully, conditions in Magadan are not conducive to convalescence. What possessions have you acquired in Mordovia? How do you plan to earn your bread?

Mykola had a notebook of your poems, and he allowed me to copy them. Much of what was in that notebook was to my liking; in them I found many fresh images, many interesting new words, and mainly, of course, uncommon ideas, which are not expressly stated, but which organically flow out of the artistic fabric itself. The notebook underwent review several times, but was always returned to me. In Chernihiv Prison, however, they did not return it to me upon my release (along with many other papers) and they still have not returned it, even though last year I telephoned the administration twenty times about this matter. This year I wrote, at first, a statement, but then they twisted into it many irrelevant matters, and thus this matter has been suppressed for the time being.

I work as an electrician at a regional children's hospital for 67 and one-half rubles per month. At first I wondered how people managed to live on such a salary, but later everything became clear: no one gets by on this money. Everyone also has some other income. Many people have ties to the villages and travel there to help their peasant families. And from there they bring back potatoes, meat, lard, eggs, and the like.

Chernihiv is Russified, and this process unsparingly re-educates in its own mold the newcomers from the villages. The language of the people is horrible; they do not know how to speak Russian, yet they have gotten very far away from our language. This awful linguistic barbarism is regarded as something completely normal.

I do not know, Mr. Vasyl, in what kind of surroundings you were brought up and lived. Perhaps for you this is totally understandable and ordinary, but I still can't reconcile myself to this. It grates on the ear and the mind, and one does not know what to do.

My wife, Nadiya Nykonivna, with whom I live, the two of us together, works in the Ukrainian State Institute of Hydroculture as an engineer-designer. This is the Chernihiv branch of the Kiev Institute, which is involved in the designing of various collective farm ponds and the like.

Please send a photograph if you have it, because I would like to see how you look.

My wife greets you. Good health to you. May the Lord protect you.

L. Lukyanenko

March 27, 1977

/b/ Greetings, Mr. Vasyl!

I received your letter and photograph. Many thanks. Just yesterday I saw a slightly different version of this photograph in Kiev. Thank you for sending not a portrait, but such a taken-from-life moment of sad, sad reality.

You know, your bitter ironic smile and the look, directed downward, underground, there, to a depth of 100-150 meters, say with unusual clarity: "So that's how, fellow, Shevchenko spent his time in /military/ drills in Kos-Aral, Hrabovsky in Tobolsk, and I -- in Magadan." The left slope of the snowy hill clearly separates the earth from the sky and, it seems, that behind that curve only the sky continues, while the earth ends there and farther on is only an empty abyss.

At the edge of the old path, at the edge of the world, one of the greatest poets, of whom any enlightened nation-state would be proud, exercises his muscles underground and kills years and talent. O, God! For what do you punish your child so?! Is it possible that it is meant for him to perish thus, not having said one word to the world?!... Oh, no, in him there is still a sea of fire, an ocean of strength!

Good fellow, I have almost nothing to write about those from Lviv. I have been very busy in the last months and my correspondence with Mykhaylo somehow became interrupted; I have heard from others that Mykhaylo was given some kind of psychological job for which he had vainly fought for many years. I do not know what this means. I have not asked him yet, and he also probably does not have time to write. I think that your letters reached their destination, but because of everyday cares, there has simply not been a chance to reply, although, of course, the letters may have "gotten lost."

They summoned me to Donetsk twice for questioning, as a witness in the case of M. Rudenko and O. Tykhy; yesterday I returned from Kiev, where they had summoned me for questioning in the case of Mykola Matusevych and Myroslav Marynovych.

Both the former and the latter two are not being charged with participation in the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords by the UkrSSR, but for some kind of separate individual acts.

I do not know how much you are acquainted with life in Kiev and who writes to you. Write and let me know. If it is necessary, I will then write you in some detail about the Group.

Of my two days' stay in Kiev, I had a half-day of free time and so I visited Sofia / St. Sofia Cathedral, now a museum /. The many centuries of emptiness somehow do not allow one to believe that our ancestors were at such a high level of culture at that time.

I will help you to open a way in the wall. May God give you health.

Respectfully yours,

L. Lukyanenko

P.S. My wife Nadiya greets you.

/c/ Esteemed Mr. Vasyl!

I want to write to you about my trip for the trial in Druzhkivka, in Donetsk Region.

This trip consisted of continuous vexations. It started on Friday, June 24th, the day before the wedding of my brother's sister, when they summoned me to the militia for the second time (after I had already been there to register), and told me to come back on the 25th, when they would present me with a document "from which I will gasp." I wanted to be in the wedding "party," and here I was made to coordinate the one with the other. On the evening of the 25th, Nadiya and I left the honored party and went to the militiaman. He handed me a court subpoena -- it was nothing to gasp about, but, then, nothing to rejoice at either. I told him that I did not have money for the trip. The militiaman expressed concern, and on Sunday morning they gave me an advance of forty rubles. They strictly forbid me to travel through Kiev, to Druzhkivka and back; I had to leave from Horodnya, that is, from my family.

Because I rode not through Kiev, but through Horodnya, I arrived not at 10 o'clock, but at 4 o'clock. The courthouse was not far from the bus station, and I quickly found it. At the secretariat I asked: "Where is the trial of Rudenko and Tykhy being held?"

"What trial? It is already late, there is no trial," a girl replied. I showed her the summons. "A-a," she drawled, "very good. One moment."

She took the summons and left with it. In a minute she returned. "Let's go," she said. She led me out to the street, and pointed to a car which stood by the gate. "This car," she continued, "will drive you to the trial."

The driver politely opened the door, I sat down, and he drove me. "And where is the trial being held?" I asked the driver. "In the red corner /political meeting place/ of the Smyeshtorh /factory/." "And where is that?" "Not too far. I will show you. From Lenin Street you go down a narrow path deep into the courtyard to a two-story building. There you will be met." "Have you already driven witnesses there?" "I have." The driver did not want to reply to subsequent questions, so I asked him about the Druzhkivka weather.

In a few minutes he stopped the car and pointed out the building, deep in the courtyard, to which I was to go. Before the entrance stood a militiaman. I walked past him and entered a narrow corridor. A robust man stepped out to meet me; two more were standing on either side of the left doors to the red corner, and a third stood on the threshhold of the open right door to the accounting office. "And where are you going?" the first man asked me. "To the trial. And who are you?" "We...we...hand over your certificate!" "I would like to know who you are. Show me your certificates." The man beside the right door took a step towards me and stood ready. The first man turned around and disappeared through the doors. He reappeared after a minute and said: "Wait here," and pointed to the open door on the right.

His helper led me through the room on the right, in which sat more than ten girls, to a second room, where there were three women bookkeepers. "You may leave your briefcase and sit here for a while," my guide told me. "Very good," I muttered, set down the briefcase, and sat down. He left. The girl looked after him and said to me, "Are you perhaps a witness? There have been many here already. The first day we managed to listen a bit through the door. We have never heard anything like it. Interesting! The defendants are some kind of scholars, not ordinary people ..."

I did not answer. Then I asked: "Has the trial been going on for long?"

"From the 23rd."

A face appeared at the door, looking at me. "They are asking for you."

I got up and walked out to the corridor. Two men, standing drawn up on either side of the door, stepped aside a bit. One of them opened the door, and I found myself in a lighted area about 6 by 10 meters in size.

On the right side of the stage sat the court. Behind the court on a shelf lay about thirty volumes of case investigative materials.

The first row of chairs was empty. In the second row, with large spaces between them, sat Tykhy, a soldier, Rudenko. Behind them was a row of empty chairs and a row with witnesses, among whom were Kandyba, Berdnyk, Svitlychna, the defendants' sisters, M. Rudenko's wife Raisa Rudenko, and Tykhy's mother.

The remaining seats were occupied by "special comrades." "Greetings to you, dear friends!" I bowed to Tykhy and Rudenko. "And you turn away from the court and bow in greeting all around," said the judge. "I'm listening to the court," I said, turning to the stage.

Judge: Your surname, name, patronymic, year and place of birth?

I answered.

Judge: Tell the court about the defendants.

"I would like to ask ...."

"We will do the asking!" the judge interrupted me.

"I would like to know whether the trial is open or closed?"

Judge: And what significance does that have?

I said that my conduct will depend on this, namely, whether I will testify or not.

Judge: Open.

"In that case I will testify."

Judge: Are you acquainted with Rudenko?

"I have known Rudenko as a distinguished Ukrainian poet and writer through his works for a long time; I became acquainted with him personally in 1976."

Judge: Describe your acquaintance with Tykhy.

"I have known Tykhy for a long while, from the time I spent in Mordovian political camps. He and I corresponded regularly, and we met whenever it was physically possible. I am glad that fate allowed me to become acquainted with these persons."

Then the judge asked about the meetings, and further:

"Who is the author of the documents of the Group?"

"All ten members of the Group."

"Who wrote the documents?"

"All wrote them, putting down additions, comments and stylistic corrections, consistent with our views and literary tastes."

"What was Tykhy's specific role?"

"Tykhy signed the documents, but did not add any specific contribution to these documents of the Group."

A few more insignificant questions and sarcastic comments about my participation in the Group, and I was allowed to sit down.

One of the assessors read the testimony of Yu. Orlov, the leader of the Moscow /Helsinki/ Group. Orlov had declined to appear as a witness.

After this they read Matusevych's testimony. He had refused to provide evidence about Rudenko.

Then the testimony of Marynovych was read. He said that he was on good terms with Rudenko. Rudenko had never said anything anti-Soviet, nor gave him anything of that sort in written form. He declined to respond to a question about some kind of secret document.

Tykhy demanded that the proceeding be transcribed; that the proceeding be recorded on magnetic tape; that the attorney forced upon him be sent away; that 961 rubles spent for conducting a handwriting analysis and an analysis of a typewriter be deducted from court costs, inasmuch as not once with regard to any document, had he denied authorship; that his article about the Donetsk Region, which is being charged to him, be read aloud; that he be allowed to invite for the defense of his interests an attorney from the International Association of Jurists (democrats).

The court rejected all of the demands.

Rudenko put in a demand that an article by Borys Kovhar be read aloud (Kovhar was allegedly a KGB agent for five years; in the above-mentioned article he wrote in detail about his work among the Ukrainian intelligentsia). Rudenko was being accused of keeping (and disseminating) Kovhar's article, and he wanted the court to read it aloud.

The prosecutor petitioned the court to read aloud the opinion of a medical commission that Kovhar is insane (he has been in Dnipropetrovsk Special Psychiatric Hospital since 1972).

If Kovhar is insane, then he should not be held responsible for the article. But if the court is using it as incriminating evidence, then it should have it read aloud at the judicial session. Rudenko added that it was his deep conviction that Kovhar is a normal person.

The court rejected Rudenko's plea, just as it rejected his plea for permission to invite the attorney from the International Association of Jurists

Around six o'clock the judicial session ended. The secretary took the tickets from me and said that, since the people's court was no longer in session and there was nobody to disburse the money to me and certify the summons, I could go home right then and she would send the money and the summons to my home address by mail. Because of terrible overcrowding on the transport, I could not get on my way without the summons and so I had to spend the night.

There were reserved rooms at the hotel for all the witnesses (by the way, let us note that before this, minor repairs had been done and a group of young people had settled at the hotel from June 23rd on). In a word, we ate supper together, chatted some, and brought the 28th of June to a close.

On June 29th I wanted to ask permission of the judge to attend the trial at least one more day, but early in the morning two militiamen entered my room and, seeing three of us, asked: "Which one of you is Lukyanenko?" I told them my name. "A telegram has come from Chernihiv," one of them began, "that you have violated administrative surveillance. They issued you a summons yesterday, and you should have departed from Druzhkivka in the evening; but you did not leave, and by this you committed a violation."

"I was not issued a summons!"

"No, you were issued a summons! Why did you not depart?"

"Who told you that it was issued? The summons was not certified and it was not issued. It is with the court secretary!"

"Come to the militia with us!"

"For what sake should I go there?"

"Let's go, we'll sort things out there!"

I went, and they detained me in a room until 10:30. At first a militiaman sat beside me, but later he left. I stoop up, went out into the corridor and made a run towards the exit. They stopped me. I said, "Had you detained me, or what? In that case, read me the decision." "No, we have not detained you. We handcuff those detained. We have inquired about you. After we clear everything up, we will get you a train ticket and help you leave."

Around 11 o'clock they gave me a lift to the hotel. Kandyba was waiting for me in the room. He suggested that I have breakfast. After having a bite to eat, I took the briefcase, said good-bye to him, and a black Volga drove me to Kramatorsk.

We arrived at the railroad station ten minutes before the train was to depart. Although there was a Tower of Babel in front of the ticket office, in five minutes I had a ticket. There was no time left, so I walked over to the appropriate platform, got into the car, and started off for the north.

On June 30th I was already in Chernihiv; on July 1st I found out that Tykhy was sentenced to ten years' imprisonment and five years' exile, and Rudenko to seven years' imprisonment and five years' exile. Horrible! For what? For what??!!

Two days later I found out that the Supreme Court of the UkrSSR, having considered the appeal in the case of Petro Ruban on June 28, 1977, deducted 1000 rubles from the 5000 that, according to the verdict of a court, he was to pay to the state, and let stand the six years of imprisonment, three years of exile from Ukraine, and confiscation of property.

Obviously, I was also tried unjustly in 1961, but that was a long time ago; somehow it faded away, wore away. But the cases of Ruban, Rudenko, Tykhy -- they are now, presently, today. How unjust!...

July 9, 1977

/2/ Vyacheslav Chornovil. To the Minister of Internal Affairs Shchelokov: A Statement (March 1978).

My family, which lives in the village of Vilkhivets, Zvenyhorod District, Cherkasy Region, finds itself in unusually difficult circumstances: my brother died; my mother is incapacitated by two strokes; my father is seriously ill; my sister has a diagnosed case of tuberculosis. She needs careful examination but cannot leave my mother without supervision.

Along with all of this, I have been allowed only seven days home leave from exile in the Lenin District of Yakutia, until March 27. This is even less than the term permitted by law.

Please issue a directive to extend my stay in the village of Vilkhivets for a period necessary for me to render the most indispensable aid to my family, if only for a month.

I agree to have the regimen of exile imposed upon me here.

I will regard your decision as the manifestation of the true essence of socialist humanism.

/3/ Ihor Kalynets. To the Chairman of the Presidium of the Supreme Soviet of the UkrSSR: A Statement (February 23, 1978).

I do not entertain any hope that my statement will ease the fate of Levko Lukyanenko, a Ukrainian patriot and member of the Ukrainian committee to promote the implementation of the Helsinki Accords, who has been arrested for a second time. My conscience does not allow me to remain silent when arrests in Ukraine still do not cease (I am referring to Rudenko, Tykhy, Marynovych, Matusevych). I am a victim of unfounded and unlawful persecution, high-handed judicial proceedings, and severe "punishment," as are also my wife and many others. For example, L. Lukyanenko received fifteen years for intending to exercise a right written in the constitutions of the USSR and the UkrSSR. I do not doubt that this time also he aspired towards one thing only, namely, that the Soviet organs adhere to their own laws.

I think that it is time to come to one's senses and to put an end to the persecution of dissidents, / the persecution/ of Ukrainian patriots. In lodging this protest against the arrest of L. Lukyanenko, I want to believe that the Chairman of the Presidium of the Supreme Soviet of the UkrSSR will realize his obligations before the nation and will take pains to see that Soviet Ukraine is not counted among those regimes which are condemned by the entire democratic community.

(This statement was confiscated by the camp administration for "distortion of the internal life of the country.")

/4/ Oksana Meshko. To the Presidium of the Supreme Soviet of the UkrSSR: A Statement (March 1978).

On February 9, 1978, representatives of the republic's KGB conducted a search at my place in connection with the case of attorney and publicist L. Lukyanenko, a member of the Ukrainian Helsinki Public Group.

Like the previous year, the search was conducted after psychological pressure and intimidation. At dawn an agent of the KGB entered like a thief, using my tenant's key. One opened /the door/, while the remaining eight hid in the gangway of a neighboring home; they broke into the house, catching me almost in bed and undressed.

Apropos to this, I want to mention that for two years now, a technologically equipped base has been set up in the neighboring empty house for the surveillance of my home by means of photography, directional recording, eavesdropping and a watch of officials.

Nine persons from the KGB were at my place for twenty hours, turning everything upside down. This was the seventh search in the last several years!

Like all the previous ones, this search was not justified by anything. Its "trophies" consisted of notebooks with addresses, personal correspondence with I. Kandyba, a document of the Group about the arrest of L. Lukyanenko, a draft of a letter to the Chairman of the Supreme Soviet of the UkrSSR about the extrajudicial persecution of the former political prisoner K. Matviyuk, copies of the convicted artist P. Ruban's complaint to the deputy prosecutor of the UkrSSR, Skopenko, and my appeal in defense of the arrested L. Lukyanenko to the thirty-five countries participating in the Belgrade Conference.

They took everything which had nothing to do with either politics or the case of Lukyanenko, writing down in the record, "... a scrap of paper which begins with the words..." and, of course, forgetting to write down how it ended.

They gathered over thirty such "scraps"; they took a filmstrip with typewritten text, without reading it; to this day I have not been informed how they ever read it.

They even confiscated a list of international conventions which had been ratified and signed by our government!

I have more than once appealed to you in writing, and I repeat it again, that I do not have and cannot have any anti-Soviet materials. As a member of the Helsinki Group, I value the reputation of our entire group's function -- the defense of rights. It is only the KGB and closed courts that have the nerve to construe the documents of our group in defense of rights as "anti-Soviet acts, directed towards undermining the prestige of the Soviet state," etc.

This time Captain Prystayko and Lieutenant-Colonel Hanchuk created a sensation out of my "hiding place" in a snowbank -- they took pictures of it, and made an entry in the record; in the "hiding place" lay my personal letters, two documents of the Group, and a book edited by the Marxist Roy Medvedyev, The Twentieth Century.

And how they rejoiced -- not because of what was found, since it offered nothing of value, but because of the fact that they exposed a "hiding place"! To some degree it compensated for their efforts.

Perhaps I should be ashamed of a demonstration of unlawfulness on the part of the authorities? "... Soviet laws express the will of the people and the fundamental directions of the policies of the party and the state..." (L. Brezhnev). Yes, citizens of the USSR have to this day not been denied the right to live in fear, and people are forced to hide even that which, under Soviet constitutional law, has no right being confiscated.

On February 14, 1978, after a five-hour interrogation, I was read a KGB-prepared document, a record /entitled/ "A Warning," filled out on a printed form with a selection of documents that had been confiscated in the case of my son, O. Serhiyenko, sentenced in 1972. They did not, obviously, give a copy of "A Warning" to me personally, and I refused to sign it, denying the "anti-Soviet nature" of the documents shown to me. After all, can, for example, The History of the Rus, a historiographic monument of Ukraine's feudal period published before the revolution (this work by an unknown author is found in the open collections of academic libraries), be considered an "anti-Soviet document"? Or how about a copy of the 1970 official statement by the writer B. Antonenko-Davydovych, Ivan Dzyuba and V. Chornovil, /addressed/ to the Prosecutor's Office of the Ukr. SSR regarding the case of V. Moroz?

These days the label "anti-Soviet" is pasted onto these and other documents very liberally, indeed.

They are persistently preparing a case against me; they summon my friends and acquaintances to the KGB, interrogating them not only about me, but about my imprisoned son Oleksander. In questioning people, they sound them out, seeking among them future witnesses for the prosecution. At the same time they disseminate absurd nonsense about me; they spread rumors that I am an "OUN-ite," a "Banderite," and finally this -- "her hands are covered with blood." In addition, they categorically deny that I was rehabilitated in June 1956 by the Office of the Prosecutor of the UkrSSR. They intimidate people, forbidding them to visit me or to help me in my housekeeping when I am sick, which, at my age, is not a rarity. In a word, they take advantage of all means to pressure people connected with me in any way.

I am appealing to the highest legislative organ of the Ukrainian republic to restrain the unlawful and extrajudicial persecutions, which are aimed at me and my imprisoned son.

My concern, as a member of the Helsinki Group, is the defense of that law and order which are guaranteed to us by the Constitution and the Helsinki Accords. I do not engage in any unlawful deeds or subversive activity, and there is no reason for KGB agents to be giving me so much "attention."

I also ask you to give an order to the organs of the KGB -- if that is within the province of the Supreme Soviet of the UkrSSR -- to return to me all personal letters taken from me and my son, Oleksander Serhiyenko, as well as all literary-publicistic articles, notebooks with poems by Soviet poets, a photocopy set of the History of the Rus and various other notes, removed unlawfully during the above-mentioned searches, inasmuch as they do not relate to a judicial case and are not anti-Soviet.

/5/ Valeriy Marchenko. To the Director of the Institute of Urology, Kiev (1976).

I am turning to you, not because I have an uncured inflammation of the kidneys and require qualified medical care, and not to obtain a release from my exhausting job, a job that is beyond my strength. If Mykola Amosov, a deputy to the Supreme Soviet of the UkrSSR and an academician of medicine, could not help in any way, and if other colleagues of yours were able only to forward my statements to the Main Administration of Correctional Labor Institutions, then, undoubtedly, you would have no success either.

I have, rather, a plea and proposal. The substance of it is this:

Recently I received a form, sent to me from home. Somebody from your institute, whether fulfilling an official duty, or using me as an experiment for a dissertation, took interest in what I am, how I am.

I'm all right, thanks. So far, I'm alive. And I can still reply to the questions that trouble the medics in Kiev and evoke the opposite attitude on the part of the jailers in correctional labor facility VS 389/35.

And thus, the form.

Complaints: General weakness, tendency to tire easily, headaches (permanent and very bothersome), pain in the small of the back (with frequent passing of the urine at times of exacerbation).

The duration of the illness after the stay at the Institute. I lay there in the winter of 1973.

Treatment in stationary medical care facilities (when, what was the effectiveness).

In my three years in the concentration camp, I have been able to get into the hospital four times. There they dispensed nevyhram (ineffective, unfortunately, with my form of illness). But the essential medicines -- 5-NOK, leslenephryl, dopegit -- are lacking in the camp pharmacy.

Medication sent in packages from home is returned; the laws and the Ministry of Internal Affairs do not foresee such a privilege for zeks /prisoners/. My mother, having come for a visit, was successful in pleading with the local authorities and was able to pass on some necessary medicines, but this was an exception.

Medical treatment in sanatoriums (when, where, how effective).

I consider this question to be ironic.

Exacerbation of the illness.

After an abrupt transition to semistarvation camp rations, along with the deprivation of the kiosk /privileges/ in the summer of 1974; after a stay in the lockup in December 1974; as a result of constant malnutrition and chilled on a difficult job in the summer of 1975 (if only you knew how they insist on /fulfilling/ the plan); in March 1976, after a transfer by prison truck over a horrible road, during which I felt the onset of an attack but the guards refused to let me out for a small necessity.

Colds.

Less often now. Thanks to campaigns inside and outside of the camp, I wear warmer clothing. And besides this, I work. It seems that work not only liberates, it also makes one hardier as well.

Regime.

Just let me try not adhering to it!

Diet.

It is simply not envisaged by the normative rules of the Ministry of Internal Affairs. It is because this delicate medical term which is used on posters is nothing but a euphemism. With the same kind of success a correctional labor institution can be called a sanatorium, and the jailers -- educators. Slightly better food, valued around thirty rubles, is given out, in the best circumstances, after a month. But outside of the lucky months is the harsh prisoners' ration of twelve rubles per month. Fruits, vegetables -- I tasted them on that day last year when I saw my family. Having heard this account, will you also deny that I am chronically underfed? Now do you understand what the right to obtain five rubles' worth of food products means? And I was denied the kiosk /privilege/, as it is called here, for six months of the first year of my stay in Camp VS 389/35.

Herb broths, etc. To answer this question "would be funny, if it wasn't so sad." I gathered and dried birch buds (on unoccupied plank beds in the section); a guard came and threw them out, giving the reason that "it is not proper."

There is a prohibition, formalized in legislation, against engaging in gardening in the camp.

My blood pressure has gone up during the last year to 160/110 and it does not wish to fall below 150/100. Our doctor, an optimist by nature, says this is nothing. Well, and the swelling on my face has lately become a permanent feature of my external appearance.

There are no more questions on the form. But I am not finished, and return to the petition mentioned at the beginning of the letter. Since 5-NOK (the medication which is most curative for my nephritis) is lacking in the hospital of VS 389/35, and also in the Perm medical division of the Ministry of Internal Affairs, and they wrote from Kiev that it cannot be found there either, I ask you to help me personally in obtaining this medication.

If it becomes evident that this /medication/ is a commodity in short supply in the Soviet Union, then it would be possible to turn to the International Red Cross. They will certainly give it to me.

From faraway places,

Valeriy Marchenko[2]
journalist and prisoner

/6/ Six statements by Valeriy Marchenko. (They brought Valeriy Marchenko to the Kiev KGB on September 27, 1977, where they held him for half a year, trying to extract a confession from him.)

/a/ October 12, 1977. To the Prosecutor of the UkrSSR, Hlukh.

While in Kiev, I am taking advantage of the opportunity and ask you to see me. In my opinion, the requisite legal norms were not adhered to during the investigation and judicial examination of my case, namely, you sanctioned my arrest. Secondly, it would be worth your while to hear the details of my long stay in the Ural camps from the primary source. How strange it was to find out that you have not met personally with even one of those with whom fate brought me together in the concentration camps. And if the punitive functions are obvious, where is the ideological-educational and prophylactic work of the republic's prosecutor? I expect that you will find a bit of time for a conversation with me. This is desirable also because the state's approach to, and analysis of, the problem of dissidents in the life of the Soviet community are prominent in the speeches of both the General Secretary of the Central Committee of the Communist Party of the Soviet Union, L. Brezhnev, and the Chairman of the KGB of the Council of Ministers, Yu. Andropov.

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[2] After having served his sentence, Marchenko returned to Kiev in 1981. In 1983 he was arrested and sentenced to 10 years in prison and 5 years internal exile. In 1984 he died in a prison hospital.

/b/ November 8, 1977. To the Central Committee of the Communist Party of the Soviet Union.

On this day, the day of the 60th anniversary, I, Valeriy Marchenko, voice my firm protest against:
1) the active practice of repressions against dissidents (contrary to what was signed in Helsinki); 2) the severe conditions under which political prisoners are held in concentration camps and prisons; 3) twenty-five and thirty-year terms of imprisonment for political struggles (a world record); 4) the lack of freedom of speech and of the press, and of the freedom to demonstrate; 5) the lack /of the right/ to go abroad freely. I declare a one-day hunger strike.

/c/ November 9, 1977. To the Chairman of the KGB of the UkrSSR, Fedorchuk.

Soon, no doubt, it will be off in transit for me. I will not describe the suffering of a man with ailing kidneys, when after drinking water you are enervated with the urine and can hold off no more than two-three hours, and it's within the power of the unhurried, indifferent guards to let a prisoner go to the toilet or not. If one doesn't drink at all, then thirst tortures, which dehydrates a nephritis patient so much that it then takes weeks to recuperate. But, as your Vasyl Vasylyovych, who lacks a last name, stated: "twenty-one days in transit -- that's not so terrible." You obviously hold this same opinion (otherwise it would not be the KGB), and thus it is fruitless to appeal to the emotions. And that I go back to the Urals half-starting -- that's not news. Thus, contrary to all Soviet laws and regulations, not having informed me ahead of time about the goal and duration of the transit, they snatched me out for the road on September 7, and from the middle of the month I was forced to live on the prison rations. By the way, even in your solitary confinement cell, /though/ unpunished, I could receive the goods only on October 26. But I am turning to you only for one thing. A vessel -- any kind of bottle -- is vitally indispensible to me for the journey, so that I would not have to wait until the guard leads me to the toilet. It is already winter in Russia, but I do not have a scarf. This is important to me all the more so because I can wrap it around my back on the trips, and the cold will be bearable. The things mentioned (prisoners are allowed to have them) will be sent from home at any time. All that is necessary is your permission, Citizen Director.

Note: The things were allowed to be furnished. He was taken for transit on March 27, 1978. /Note by Ukrainian Public Group to Promote the Implementation of the Helsinki Accords./

/d/ December 19, 1977. To Prosecutor Rudenko. (Roman Andriyovych Rudenko, Prosecutor-General of the USSR.)

Simple curiosity induced me to turn to you. I ask of the Prosecutor-General merely an answer to a question which arose in connection with the following. Two months ago I sent a statement to the Prosecutor of the UkrSSR, Hlukh, in which I asked him to see me for the purpose of explaining sufficiently important issues (for such a person with responsibility, first of all), namely: adherence to legal norms during my investigation and judicial consideration, and violations of Soviet legality in the places in the Urals where Ukrainians are imprisoned. The justification I gave for my appeal was that citizen Hlukh personally approved my arrest and, besides this, I was very surprised by the discovery that he, the decider of our fate, had not condescended to meet with even one of those whom I happened to meet in the concentration camps. But they do remember meeting with you. Although certainly there were no results, but in this case the fact itself is important. As you can see, there are fully valid grounds for contacts with a counselor of justice; nevertheless, in the last two months no answer has arrived from the Prosecutor's Office of the UkrSSR. While I was reading the Basic Law /Constitution/ recently, my attention was drawn to these words: "Officials are obligated to look into the propositions and statements of citizens, to respond to them, and to take the necessary measures, /all/ within the specified period." Taking into consideration everything written above, I ask you to answer: Does the Constitution of the USSR live, work, function?

/e/ December 26, 1977. To the Minister of Justice of the UkrSSR, V. I. Zaychuk.

Citizen Minister! How many times I have come across your speeches in the press, dedicated to various dates. You often use resounding, righteous words in them. This is exactly what compelled me to turn to you. I, a prisoner, will not deal with the violations of laws or the brutal conditions of custody in concentration camps, although this would not be superfluous. I only want to propose a variant of my serving my term of imprisonment that would most benefit the people. I am the sole specialist in the field of translating Azerbaijani classical literature (of the new period). Basides me, no one else in Ukraine has engaged in this or is engaging in this now. Meanwhile, having definite experience (books: Terrible Tales, by Suleyman Sani Akhundov; The Rainbow, 1971; The Dead, by Dzhalil Mamedkulizade; Art, 1972; the collection Azerbaijani Song, Musical Ukraine, 1971), I could happily continue my work, after concluding an agreement with one of the republic's publishers for the publication of, for example, Selected Works of Dzh. Mamedkulizade. It is a known fact that the Correctional Labor Law stipulates work for the prisoners that is in their field of specialization. Furthermore, the recently-adopted Constitution of the USSR (I expect that it is not necessary to demonstrate its prominent role also in the work of correctional labor institutions) speaks about the right of choice of a profession, about furthering of qualifications. I do not see any obstacles which would hinder the realization of this idea. Indeed, Ukraine's culture, which is national in form but socialist in content, would be an indisputable winner. Besides this, another aspect of the matter is also important. I have a serious kidney ailment. The work at the camp factory is too much for my strength. I am not capable of fulfilling the norm of production (which, by the way, has been raised twice already, and this without the technical improvements required by the Code of Laws on Labor!). The administration uses the nonfulfillment of the norm to punish me, notwithstanding that I am an invalid of the third category. And it must be mentioned that the results of the efforts of those who are "training" me to work do not keep themselves waiting. I am now a cripple, inasmuch as I am in no condition to hold off even for two-three hours without emptying the urinary bladder. Sluggishness and other symptoms of the illness have become permanent for me. That, actually, is everything that I wanted to say in connection with your speeches. It would be wonderful if you could give concrete substance to your words -- "observance of legality," "humanism." I have in mind the realization of my request.

/f/ March 20, 1978. To the Chairman of the Supreme Court of the UkrSSR, O. N. Yakymenko.

This is simply mystifying. I am now writing a statement to a higher resort with this one goal: to find one official who would not violate Soviet laws. The Prosecutor of the UkrSSR Hlukh, has violated them; the Minister of Justice of the UkrSSR, Zaychuk, has violated them; you are left. And the matter consists of this. For over four years I have been trying to obtain /a copy of/ my verdict. Before the transit here to this place, all notes, were taken from me; otherwise, I would cite the article and paragraph of the Code /of Criminal Procedures/ on the basis of which I have the right to obtain the verdict personally. Nevertheless, now I must ask without a literal reminder of the appropriate laws. And thus, for over four years now, to my plea to release to me /a copy of/ the verdict (as well as to those others sentenced who are with me in the Urals), comes a standard rejection from the chairman of the Kiev regional court. I ask you categorically, with all attendant consequences /in mind/, to release my verdict to me personally! Perhaps you will want to distinguish yourself from your silent colleagues, and will send me some kind of written reply. But I warn /you/, that if you intend to write "convicted rightly," you will be unoriginal.

/7/ Two letters of Valeriy Marchenko.

/a/ My Dear Mother, forgive me! I have often driven away thoughts about how much you love me, what I mean in your life. But then my life would turn into hell. I drove these thoughts out of my mind and now, for the first time, suddenly open, like a lacerate wound, I saw you in tears and, believe me, I have not experienced similar suffering that I can remember. I returned to the cell and asked God, what is the use of this whole world, when a person like you suffers. Why, then, do I exist? Could it really be -- to cause pain to the most beloved being? These are accursed questions, which I myself am not capable of answering. And I suffer over them and over one other: how to keep my respect and love for my mother, how not to destroy myself in the name of our beautiful relationship.

I do not want to join with those numerous ones who, unable to endure the ordeals and straying from the path of decency, resort to the saving argument "we are not the only ones like that." You are my only one, and I do not wish to listen to anything or anyone, that for the sake of biological existence beside a mother it is possible to cross out oneself spiritually. I hope that after profound reflection, you too will agree with me. Could it really be that a mother needs a moral mongrel who, in answer to the question "has he lived the last thirty years as a hypocrite?" would have to borrow eyes from Sirko/ to look with shameless eyes/, to agree, to babble, all the while, something about illness, about unbearability? Is it really possible to wish such a life for a son? I don't believe it! I do not know of one of my friends who would worship his mother so. But I know that my own /mother/ is worthy of the highest, best words. And I do not want these words to be uttered by blasphemous lips. As long as there is the strength, I will strive not to let this happen. You have had and will have a son who, as few others, loved his mother, and for whom this love, together with qualities nurtured by her, helped to endure in difficult moments and to earn the right to be called a human being. This is all thanks to you, my beautiful one. I am convinced that this is incomparably stronger than the persuasions, the arguments that you brought to our meeting. Do not think about them, for they are unworthy of my mother. Dearest Mother, we have not a short time to live in this world, so let us be worthy of its beauty, both in feelings and in deeds!

October 28, 1977. Kiev. The KGB.

/b/ Good day, my loved ones! I arrived at the final point of my destination and right away I am writing. After all the ordeals it seems like home here. Everything is habitual, everything is familiar. That is the same case when a prison is one's native home. Some of those closest to me -- that's all that's missing; there is the feeling, though, as if they simply went out somewhere for a moment. And how pleasant it is to chat with friends. It is somewhat cool now in the Urals; a snow has fallen, and they say that spring is coming for the third time. I sent home a letter from the 36th zone -- did you receive it? I am terribly exhausted from the road, and my outward appearance -- it cannot be told in a tale, nor described in writing. It was nice that they supported me here somewhat. We celebrated the Holiday of Light /Easter/ in a familiar manner, everyone speaking with unusual warmth about his friends; those were joyous days in this gloomy bondage. Whence comes this enduring human patience or else toughness! They announced new regulations, according to which dairy and meat products will appear in the commissary, allegedly, vegetables and fruits will be brought in, and the contents of parcels should also get increased. We shall see how this will work out, beginning May 1st. Possibly, as in the song, "the talk, the talk will soon die down." I left Kiev on March 27. All I did was send you a letter, chatted some with the tutor, bidding him good-bye, and I was on my way. In the 36th zone they told me that the doctor to whom you had given the medications no longer works there; it seems that he retired. Thus, there is a need for medications -- 5-NOK, levomitsytyn, black-fruited rowan. In the 36th, they collected for me all the newspapers and periodicals from the /last/ six months of last year. It is interesting to read some of the promises-predictions when you can judge them from a perspective of time. I arrived by transit without any adventures with common criminals; naturally I have a multitude of impressions that one cannot write enough about. I am slightly ill; they placed me in the hospital. Without a position of strength no negotiations can be culminated successfully. I have become very sluggish. And my head aches from the fluctuations in /atmospheric/ pressure -- what a cursed place this is! It is interesting to observe the reactions of some, when they find out that I was in Kiev and there they proposed a pardon. I accidentally wrote "interesting," but no, it is disgusting to observe human frailty, when they admit: "And I would have written everything they asked." Thank God, the world stands not on such as they. Dearest, write me a letter not as hurried as the first. And I will recover a bit and also get myself together for something grandiose, soon. I kiss everyone,

Your son
Valeriy Marchenko

April 30 to May 24, 1978
The Urals, Institution VS 389-35

Note: The medications which were sent by the mother to the Institution VS 389-35 were returned. /Note by Ukrainian Public Group/

/8/ D. Demydiv. To the Chief of Correctional Labor Institution 36, Major Zhuravkov: A Statement. (March 1978)

On February 6, 1978, the detachment chief, Senior Lieutenant Byelov, punished prisoner Zdorovy for nonfulfillment of the production quota. At the same time Byelov told prisoner Slobodyan that he would petition the administration to deprive him of the next regular visit or the purchase of products in the kiosk, giving the following reasons for Slobodyan's punishment: nonfulfillment of the production quota and failure to report for work after lunch on February 4, 1978.

In connection with this, I decided to appeal to you personally, inasmuch as I am not yet convinced whether the initiative belongs to Byelov himself, or whether it was approved by you. You know that there are no requirements to fulfill the production quota either in the Code of Laws on Labor, or in the Correctional Labor Code, or in the regulations of internal order. This means that the administration of the colony is not within its rights to consider the nonfulfillment of the production quota by a convict as a violation of the regimen and to apply disciplinary punishment in that case. The lawmaker unequivocally speaks out on this issue, demanding from the convict a conscientious attitude towards work. The correctional labor law is created not for individual application to a specific person -- Zdorovy or Slobodyan. It is understood that the work of a convict is to be evaluated not only by the mere quantity of production, but also in other categories. The lawmaker understands that differences in temperament, swiftness of movement, abilities, and, finally, in the state of health exist among people. It is not by coincidence that someone will find his calling in work as a prison controller, another in a shipyard or in space flight. It would be improper and illegal to consider the appropriate articles of the law in a context of a convict's having a duty to fulfill the production quota in all instances.

Prisoner Zdorovy came to the job just recently. His nonfulfillment is related to his lack of experience and, as you know, the production quota in the panel assembly section is unusually high.

In the case of Slobodyan, demanding the fulfillment of the quota is not only illegal, but also inhuman: Slobodyan is seriously ill, and is not receiving the necessary treatment. I want to mention separately that he first became ill in the places of deprivation of liberty; before his arrest he had neither the ulcer nor the throat and ear ailments. But in the spring of 1977 you sent Slobodyan to a difficult job (rolling logs, lugging boards), despite the fact that he tried to obtain medical help in view of the acute worsening of his health. Your assistant, Major Fyodorov, then provocatively and blatantly interfered in the work of the medical-sanitary section and forced Slobodyan, whose stomach ulcer was bleeding, to continue working at the sawmill. You know the result: Slobodyan's critical condition and immediate hospitalization in the central hospital of VS 389. Slobodyan's ulcer was not cured and he is as sick as before. He appealed unsuccessfully for qualified medical care, but they kept demanding that he fulfill the quota which is calculated for a man who is physically up-to-par. Please note: Slobodyan was fulfilling 75% of the quota. Even during the period of the bloody arbitrary rule of the cult of the personality, they did not demand a mandatory fulfillment of 75% of the quota from a prisoner. Even then the administration would not have had any pretensions towards Slobodyan in this regard. I repeat: Slobodyan is ill, but he is not receiving prescribed medical care. It is not his fault that your doctors "work" when the thought occurs to them, not heeding the schedule that they themselves put up. It is not his fault that on Saturday, February 4, 1978, when he felt so poorly that he could not report for work, a doctor did not examine him, did not release him from work.

This fact speaks about one more thing -- about the irresponsibility of the doctors when they were obligated to examine Slobodyan immediately, if only to make certain that he was not hemorrhaging. For a long time now I should not have just observed from the side Slobodyan's fruitless attempts to obtain medical care, a case of a seriously ill person being hounded. But I only watched. Now I know that there should be the sharpest, reasonable reaction on my part, because the health and life of a sick person are involved, and not only the violation of yet another abstract law. There are situations when one must not remain aloof. Slobodyan's situation is one such. I appeal to you because, for now, I am not convinced whether the initiative in persecuting a seriously ill person, in violating legality, is yours. I ask you, citizen Major, to exhibit judiciousness and fairness.

/9/ Stefaniya Shabatura. To the Prosecutor-General of the USSR, a copy to the Chairman of the KGB of the Mordovian ASSR.

On this the Day of the Prisoner, October 30, 1977, I declare a hunger strike in protest against all forms of political repressions in the Soviet Union, and I demand: a halt to the persecutions and arrests of those whose guilt lies in that they, without renouncing their convictions, stood up in defense of human rights; and a halt to the cruel treatment of political prisoners in concentration camps of the Soviet Union, persons from the creative professions among them, inasmuch as the administration of the camp, on orders of the KGB, systematically destroys creative works of poets and artists in the inquisitorial pyres of the Soviet regime. I demand that works authored by the poet V. Stus and confiscated from him be returned to him. I demand that over 200 of my works, forcibly taken from me in 1975 by the administration and the KGB of Correctional Labor Institution 385, be returned to me. Countries with a recent fascist past have stepped firmly onto the road of democratization, but the Soviet Union has not yet rejected the fascist methods of the Stalin regime. The time has come to proclaim amnesty for all political prisoners in the Soviet Union.

October 28, 1977.

/10b/ Nina Strokatova -- To the Chairman of the Presidium of the Supreme Soviet of the USSR.

Please provide a list of actions and formalities which I must complete for the purpose of emigrating from the Soviet Union along with my husband, Svyatoslav Yosypovych Karavansky, who has entered into the 29th year of prison and camp incarceration. For my part, I state to you that grounds for deporting Karavansky can be found by turning to his personal case: the completion of a twenty-five-year term during a period when legislation that did not envision deprivation of liberty of more than fifteen years was in effect; the existence of credits earned before the enactment of legislation that abolished the system of credits; the application of retroactive power of a law which does not have it.

Tarusa, September, 1977.

/10a/ N. A. Strokatova. To the Secretary of the Tarusa District Committee of the Communist Party of the Soviet Union, A. S. Venykov: A Statement.

Having come out of bondage in a prison camp, I found myself forced to settle outside the boundaries of my native Ukrainian land.

Tarusa became for me the place of forced settlement.

Here, far from the boundaries of the prison-camp zone, I once again became the object of all the variations of prejudicial and extrajudicial repression that are used in the Soviet Union against persons who do not adhere to orthodox ideology.

Here in Tarusa, an illegal bar from a profession has been extended against me: a doctor with a twenty-three-year length of service in practical, research, and teaching activity, an author of twenty-four scientific works, I work as a cashier.

Here in Tarusa, I am deprived of all forms of constitutional and natural law: my apartment is not inviolate; my dignity as a woman is trampled by those who act in the name of a state that is indifferent to the interests of the individuals who comprise it; attending Christian churches and celebrating the cultic rites of Orthodoxy are impossible for me, inasmuch as there are no churches in Tarusa or its environs, and I am forbidden to travel outside the boundaries of Tarusa.

I assumed that the full extent of the ways of the repressive system in effect on the territory of the district may not be known to the party administration of the Tarusa District. Because of this I made an attempt to acquaint you, the First Secretary of the Party District Committee, with some aspects of my civic status. But today I regret not that you could not (or did not wish to) protect me from the cruel treatment and persecutions on the part of the organs who act in the name of the Law, which they systematically and deliberately interpret with sweeping arbitrariness. I regret that, while engaging in a dialogue with you, I allowed myself to believe in the possibility that you were uninformed and the possibility of good will in the party administrator of an ideocratic state.

The meeting with you and the cruel treatment, the escalation of which I have noticed after that meeting, have led me to the following conclusion:

It is intolerable to consider oneself a citizen of a state whose leaders are convinced that "established practice" is higher than the state's constitutional guarantees.

It is intolerable to consider oneself a citizen of a country whose leaders are convinced that the security and authority of a state can be insured by an arsenal of demeaning means of surveillance.

It is intolerable to consider oneself a citizen of a country where the conditions of free life cannot be distinguished from the conditions of a prison and camp regimen.

Postulating the above, I state with pain my readiness to renounce the citizenship of a country which, regretfully, is my homeland.

I feel that my duty now lies in pointing out all those persons who are to blame for my desire to become a person without citizenship. Among those guilty before me are you, the First Secretary of the Tarusa District Committee of the Communist Party of the Soviet Union.

Political prisoner of the Soviet Union,
1971-75,

N.A. Strokatova, a physician

Tarusa, June 29, 1977.

/10c/ N. Strokatova. To the Authors of the draft of the Soviet Constitution-77.

To all who support this draft, whether knowingly, unwittingly, from indifference or inadvertence.

Previous constitutions of the "Country of Soviets" already proclaimed all kinds of freedoms, even those which on the strength of their nature do not need the approbation of the state, and even less so the approbation of a party group.

Nevertheless, constitutional rights, the rights of the Fundamental Law, have been abolished by anticonstitutional lawmaking whose fruits are intended for everyday use, and, what is more, through such an invention of

Soviet lawmaking as extralegal decrees.

Never announced to the people, these decrees are, in essence, above the law. Their black shadow has irreversibly covered the pages of the Constitution with solemn and deceptive promises to a people, who were accorded the strange label, formed from the definition of a system of state, of "the Soviet people."

A people who are given a name that goes against nature, but who are not inoculated with the Spirit of Law, are willing to applaud both the Constitution and the anthem. The new anthem will obviously accompany the life of the Soviet people until the final victory of communism, which should bring about death to the state, and this means also to its constitutions. The state, being an institution of earthly power, possibly will not wish to die away, but then whichever minority it may be -- religious, national-social, basically ideological -- it already dooms the Soviet state, with its Constitution-77, to destruction.

The idea of Liberty as a perceived necessity conceived under great-power pressure, has created a Soviet person who involuntarily and without any particular coercion, now votes with active passivity for whatever fundamental, secondary, legal or illegal decree. Furthermore, this majority is not falsified; trained from the first days of the history of the Country of Soviets, it baits those who belong neither to the administrative-bureaucratic minority nor to the majority that has accepted the nonsensical name "Soviet people," along with other nonsense of conformist parliamentarism. In the name of the unprecedented conformist Majority, the draft of the Soviet Constitution surely will be transformed into a unanimously approved law. But it seems that today is not yet too late to be imbued with the idea of improving a draft which is devoid of sublimity of Spirit and Form, and completely devoid of an interest in the individual, in the guaranteed obligations of the State before every ward of Fundamental Rights. The bearers of the idea of improving the constitutional regime of the country long ago were given ostracism's marking label: "dissidents."

I know that for you they are not the Soviet people, not the majority about whom it can be said that they represent the people; they are -- as they were meant to be — the smallest minority. This minority, which is scorned by you, is tormented by superhuman pain for the fate of this boundless and disordered country. It is no wonder that the voice of this vigilant minority is imposing; it gathers ever greater strength because it is the Voice of Conscience, a Voice bringing forth primordial and sacred ideas. The Soviet person will ultimately respond to the call of this voice.

As a person belonging at this time to a minority that is not covered by constitutional guarantees, I demand that I be given opportunity to leave the Soviet Union for any country that I may choose, guided by my personal and independent appraisal of the constitutional guarantees of the chosen country of immigration.

I want to expect that I will be granted the opportunity to leave the Soviet Union together with my husband, Svyatoslav Yosypovych Karavansky, who is entering the 29th year of imprisonment for nonviolent deeds with regard to the governing minority of the Soviet Union.

September, 1977

From the place of forced settlement: Tarusa, Kaluga Region, 39 Lanacharsky /Street/.

Nina Strokatova-Karavansky, a political prisoner of the Soviet Union, 1971-1975; wife of a Ukrainian poet-prisoner; physician; member of the American Association for Microbiology; member of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords.

/11/ Vasyl Stus, political exile. (/An excerpt/ from a letter):

... Our mission, at the least, is to state that all is not in order in the area of human rights and the rights of our people.... It is not the Drachs or the Korotychs who uphold the honor of the nation today, but the Ukrainian democrats who are thrown behind bars ... even though it cannot be discounted that we are in danger of a repeat of 1972 .... In a telegram and letter to Andropov I enumerated all instances of theft of letters, limitations upon the choice of a place of settlement and.employment, etc. In response, an employee of the district KGB came by a few days later and said, among other things, that I am a political corpse and will bear the responsibility for what was written to Andropov ....

/12/ Nadiya Svitlychna, former political prisoner, under surveillance. (From a letter.)

Dear friend, I am informing you that today at 2:20 AM, without violating the conditions of administrative surveillance (to be at home from 9 o'clock in the evening until 6 o'clock in the morning), I gave birth in my own chair-bed to the Cossack Ivan, weighing 3,700 /kilograms/, and 50 centimeters long; I cut and tied the umbilical cord by myself, inasmuch as Yarema is an obstetrician not of highest qualification, and thus far has shown himself to be capable only of handing me a sheet and looking around in surprise when he heard the voice of the newborn. **(Yarema is N. Svitlychna's son.)** The adults, Pavlo and Olha **(N. Svitlychna's husband and his sister)**, had left the house a little earlier to telephone the hospital and to catch a taxi **(N. Svitlychna's telephone had been disconnected)** . . . .

/Notes in parentheses were added by Ukrainian Public Group./

/13/ Concerning Petro Vins -- a telegram (June 22, 1978).

Moscow. To Brezhnev.

Moscow, the Kremlin. To Kosygin.

Moscow. To the Minister of Internal Affairs in charge of places of imprisonment.

Moscow. To the Prosecutor-General of the USSR, Rudenko.

Copy: Rivne. To the Chief of the Ministry of Internal Affairs.

Rafalivka, Rivne Region. To the Chief of Institution OR 318/76.

We are indignant over the cruel treatment, the brutal beating on June 10, 1978, of our son, grandson, brother -- Vins Petro Heorhiyevych, born in 1956 — by the guards of Camp OR 318/76, the organizing of provocations of criminals encouraged by the camp administration. After the beating he was thrown into the shizo. In protest against cruel treatment, he is fasting. Life is in danger. This is the second beating. A month ago, after arrival in the camp, he was beaten by ensign Furlyet, who has now become a lieutenant. The beatings are systematic. We demand a separate investigation. Information about /his/ health and the five operations are part of his file. We demand that emergency measures be taken. Responsibility for /his/ life and health falls upon you. We interpret the planned destruction of a family as obvious genocide. Address reply concerning measures taken to: Kiev 114, 11-B Soshenko /Street/ Vins.

/14/ Mykhaylo Melnyk. To the Ukrainian Group to Promote Implementation of the Helsinki Accords. (Published in shortened form.)

From the time (and this occurred 12-13 years ago) that I learned what the day of May 22 represents, I have observed this holiday every year. The highlight of this holiday has been the placing of flowers at the base of the monument to T. H. Shevchenko in Kiev. But lately the celebration of this day is accompanied by the most varied pressures -- to put it mildly -- upon those who observe this day. For example, in my life, the celebration of May 22 figured in my release from postgraduate studies in 1972; in my release from employment in School No. 109 in Kiev in 1973; in my expulsion from the party in 1973; and in the dissemination by officials of various forms of gossip among the residents of the village where I was born and where my family lives. The constant attention towards me on the part of organs of the militia, the KGB, and the like is explained in large part by the celebration of May 22. For example, on the eve of May 22, 1977, the leaders of the Brovary district department of popular education of Kiev Region, on orders from the Party District Committee, summoned my wife, who works as a school teacher, along with the director of the school, to the district department of popular education. There they reminded her that she is studying at the university (not a few students have been expelled from the university for coming to the Shevchenko monument on May 22), that she works at a school, and that she is my wife and consequently should influence me in a direction that I would not go to the Shevchenko monument on May 22. For his part, the precinct militiaman, Comrade Mayorko, summoned me to him on the morning of May 22, 1977, and (after prolonged procrastination) forbid me to lay flowers at the Shevchenko monument on that day.

This year I will go to the Shevchenko monument on May 22, even if similar pressure against me is repeated. For this reason I consider it necessary to explain why I celebrate May 22 ....

May 22 is the day of the burial of the poet and revolutionary, in accordance with his testament, "in sacred Ukraine," after the transfer of his remains from Petersburg. From that time, that day and Shevchenko's grave have become sacred for every Ukrainian (and not only every Ukrainian) ....

And what savagery and barbarism on the part of the strong of our world, what spiritual poverty and slavish toadying on the part of our people it is for us to be prohibited from celebrating this day!

As it happens in such cases, they inevitably argue for the prohibition by citing the interests of the state, socialism, and the like. And having heard these arguments (similar to the one that May 22 is celebrated abroad by bourgeois Ukrainian nationalists), one cannot but be reminded of the cynical candor of the sinister Barbarossa, who said: "Let my soldiers conquer anything, and my historians and jurists will find a way to justify it." If anybody were to say that the celebration of

Marx's birthday should be forbidden under the pretext that this day is celebrated by various leftist and leftist-terrorist groups, this would seem bizarre and comical, would it not?

Then why is it not bizarre and comical to prohibit the celebration of May 22 under the pretext that somebody offensive abroad also celebrates this day?

Also groundless are those arguments when they say to us: "Why specifically May 22? Why not Shevchenko's birthday or some other important moment associated with Shevchenko's name?"

If the transfer of Shevchenko's body to Ukraine and his burial here on May 22 were not an important event, then why would the activists of Ukrainian and Russian culture of that time have undertaken this? The prohibition against celebrating this day is a theft from the cultural-historical heritage of the Ukrainian people, and a mockery of Shevchenko's name. For the prohibition against celebrating May 22 is not an isolated phenomenon in the system of restraints to which Ukrainian culture and the Ukrainian nation are subjected. For example, an academic functionary of high standing cast a shadow from his lofty platform upon the outstanding Ukrainian poet O. Oles, on the pretext that the poet in his time had been the ambassador of the Ukrainian People's Republic to Austria (see M. Shamota's article in the magazine Communists of Ukraine, 1972, No. 5); in a better case, we ignore and do not publish the works of the outstanding activists of our culture, V. Vynnychenko and M. Hrushevsky, on the pretext that both of them were leaders of the Ukrainian People's Republic; in schools and institutions of higher learning Ukrainian history is almost not being studied at all, and history textbooks explain our past in a completely distorted fashion; our Ukrainian language is the secondary language in the republic; our republic's newspapers are provincially routine organs that do not even have their own correspondents outside the boundaries of the republic; contemporary Ukrainian cinema is, at best, a subject for Perets /Pepper, a humor magazine/; systematic and pervasive Russification which uses, along with cruder methods, also refined ones (the achievements of socialism and scientific-technical progress, Lenin's authority, and the like), has reached such dimensions today that were not even dreamed of by the Russian tsars (for example, in Brovary there are only two Ukrainian kindergartens out of eight, and the intervention of Mykhaylo Stelmach in this matter did not change anything); the thesis, embodied in the new Constitution of the USSR about a "new historical community of people -- the Soviet nation" is the screen behind whose cover a further attack upon the national rights and culture of various peoples of the Soviet Union (with the exception of the Russian) is being conducted.

It may be that the circulation of the republic newspaper Literaturna Ukrayina /Literary Ukraine/ -- the most massive organ that brings contemporary Ukrainian literature to the readers -- is a more typical index of culture. And thus, the circulation of this newspaper is similar to the circulation of the republican newspaper for deaf-mutes, Nashe Slovo /Our Word/ .... and let us not hide behind the general indices of economic and material growth, because, although these are also very important indices that affect spiritual culture, they do not take its place. And let us not hide behind quotations from authorities, because Lenin wrote in his article "Concerning the National Pride of the Great Russians" that a feeling of national pride is not foreign to the Bolsheviks ....

Likewise, the national must not be totally contradistinguished with socialism. Socialism, possessing general conformity to established principles, in the process of its embodiment in this or any country, takes on certain features that arise from the peculiarities of the historical, economic and cultural-psychological aspects of a particular nation.... And inasmuch as socialism, in resolving the more important issues of humanity (bread, peace, moral and ethical, social, national, religious, and other) on a higher level compared to the previous order, does not resolve all these issues definitively, then it is understandable that life constantly places various problems, among them also of a national-cultural nature, before the citizens of a socialist society. And a guarantee of the best resolution of these problems is the active participation of broad strata of the community on the basis of mutual aid, mutual trust, and, finally, mutual tolerance -- the kind of tolerance so as not to kill, not to maim, not to drive to despair one's own kind, one's fellow citizens. And yet there is no such elementary tolerance in Ukraine towards those very people who, having become conscious of their membership in a nation and their human dignity, cannot but be uneasy about the fact that in ours — the most progressive of societies — there exist the abovementioned, as well as the following, extraordinary occurrences: Among the Ukrainian intelligentsia there are especially many unemployed professionals, and a large segment of this intelligentsia (among it the noted Ukrainian writer, M. Rudenko), have been put away, by one means or another, in Soviet prisons and camps (it would be pertinent to point out that Ukrainians comprise more than half of all the prisoners in the strict regime camps); not only P. Yu. Shelest was removed from his post and publicly spat upon, only because he, a Communist, realized -- like the Communists of Russia, Italy, France -- what his national membership and his responsibility before his people were; only in the USSR have they begun, in the last few years, to teach "aliens," Ukrainians among them, what they are to consider their homeland (by the way, no colonizers of any Africas ever went this far). The enumeration of these kinds of facts could be continued, and all of them bear a direct relationship to the culture of our people, to their future. What is more, the abovementioned facts, which I am even afraid to call by their real name (and so I call them oppression), are occurring not during a transition period (the 20's and 30's), when an unusually difficult and complicated situation existed inside the country and in the international arena, not during the Great Patriotic War and the post-war difficulties, but more than twenty years after the historic 20th Congress of the Communist Party of the Soviet Union ... at a time when socialism has conquered completely and permanently (towards which the Ukrainian people also made a weighty contribution), and the Soviet Union has become the mightiest country in the world. In a word, all the grounds exist today for turning attention towards that which is vitally important, for which there was a lack of sufficient time, means, and conditions in the past.

And no militia or plainclothed servants of "humanism and progress," no prohibitions or the wildest means of killing human dignity, no prison sentences will stop the celebration of May 22. For even this absurd prohibition itself makes this day unique, and raises it to the level of a touchstone of the strength of the Ukrainian nation's spirit in the fight for its existence, for its consolidation, for the continuation of its kind, using as a base for this those achievements that Socialist Ukraine has at present. This prohibition forces even the very ordinary man in the street to think and, sooner or later, will force to think even one who considers that to think without an order from above is damaging and dangerous .... The criterion of truth (including the truth of the new Constitution) is experience. And crude violence undoubtedly can assume for itself the role of a fighter for humanism and progress; however, that for which it is fighting will no longer be either humanism or progress.

May 11, 1978. Mykhaylo Melnyk,
historian-watchman, Village of
Pohreby, Brovary District, Kiev
Region.

P.S. On May 12, after this letter was already written, I was summoned to the first division of the District Military Committee, where, despite the fact that I am commissioned, they handed me a notice that I was to be sent to a military camp for several weeks (beginning May 15). The principal reason for this is May 22. I declined to accept the notice because its contents contradict my military card, and they threatened to come after me with the militia. Even that can happen .... Not without reason do our people have a saying: "Law is like a wagon shaft; whichever way you point it, that's where it comes out."

May 12, 1978

V—STATEMENTS, APPEALS, AND OPEN LETTERS

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A STATEMENT

TO THE PRESIDIUM OF THE SUPREME SOVIET OF THE UKRAINIAN SSR

(Concerning the arrest of members of the Ukrainian Group to Promote)

On February 5 of this year the Kiev KGB arrested Mykola Rudenko, the leader of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords in the Ukrainian SSR, while the Donetsk KGB arrested Oleksiy Tykhy, a member of the group. On April 23 the Kiev KGB arrested two more members of the group, Mykola Matusevych and Myroslav Marynovych.

Some allegedly sharply critical handwritten notes, which were allegedly found during a search of his apartment on December 23, 1976, served as the pretext for M. Rudenko's arrest. A German rifle allegedly kept in the thatched roof of his mother's house served as the pretext for O. Tykhy's arrest. It is not known what was the pretext for the arrest of Matusevych and Marynovych.

In order to remove group leader M. Rudenko far from his wife, relatives and friends, and thus better to conceal the course of the interrogation, they arrested him several hours after Tykhy and took him away to an interrogation isolation cell in Donetsk "to [join] Tykhy."

We know M. Rudenko, the poet, writer and scholar; we know O. Tykhy, the pedagogue and philosopher; we know M. Matusevych and M. Marynovych. They are people of our land and our time; their legal consciousness and their understanding of linguistic, literary, social and national problems were formed in the conditions under which we live. They are not foreigners! They did not come to us from another country to impose their ideas on us. They are our people, a small part of Ukraine, a small part of ourselves These are not people of an egoistic, narrow-minded disposition, who place their own interests above all else and are prepared to travel to Lithuania or Tuva, Australia or Ethiopia, just to be more comfortable. These are selfless patriots who considered the interests of the nation, in their various manifestations (language, literature, culture, etc.), as their own; such people could not wish the Ukrainian people harm.

During the period of the interrogations it was hinted to us in one way or another that hostile texts had been confiscated from the arrested men. We ask: towards whom are these texts hostile?

The arrested men may have had texts hostile to bureaucrats and old Stalinists who equate themselves with Soviet rule, who illegally restrict the rights and freedoms of Soviet citizens and who see the progressive democratic principles of the UN Universal Declaration of Human Rights and the Final Act of the Helsinki Conference as a threat to their administrative authority and personal social standing. But we know definitely that none of those arrested could have written anything harmful to the Ukrainian people, for they continually strove to do good for them. And on the other hand these are also people of a high intellectual level, and so even unconsciously they could not have caused their nation any harm. They imagined the ways of raising the material well-being and improving social conditions probably not quite the same as the present leadership, but this doesn't yet make them harmful to society. Even in mathematics there exist several correct solutions to an exercise (that is, correct ways of attaining a goal), and in such complex exercises as the social development of a nation there undoubtedly exists more than one path to the goal — the raising of the material well-being and the improvement in social conditions — and therefore the method of solving each specific problem offered by the present leadership is only one of several possible methods. And if the arrested men considered a practical solution to some problem to be not the best one and suggested (or were prepared to suggest) their own method of solution, then they should only be thanked for their creative approach to the problems of contemporary Ukrainian reality.

Which course did they consider to be the correct one?

Specifically, there were several, but the general principle was the same — the embodiment into life of the Constitution of the UkrSSR, the Universal Declaraton of Human Rights and the Final Act of the Helsinki Conference, that is, those normal acts through which the Soviet state expressed its intention to broaden the democratic rights and freedoms of its citizens.

Our familiarity, as witnesses, with the case under investigation leads us to the idea that the investigators are operating from a conclusion that citizens of the UkrSSR have no right whatsoever to criticize the actions of government officials and to express their thoughts on current events in which they are participants, for they interrogate about facts that, from any viewpoint whatsoever, carry not a hint of anti-Soviet propaganda or agitation.

Nearly all of us have heard from KGB investigators a statement to the effect that the Soviet regime does not punish for thoughts and convictions, it punishes for their dissemination; that it is not dissidents who are persecuted for dissenting views, but those who express their dissenting thoughts to other people. With such words they lead to the deduction: people can be punished for their thoughts. This deducation is further utilized as the premise for the following syllogism: it is permissible to persecute for thoughts and convictions; they (the KGB) do not persecute us for our thoughts. The conclusion: they are humane and democratic do-gooders.

In fact it is not so, for the premise "it is permissible to bring [people] to trial for thoughts and convictions" is wrong: it is not permissible to bring [people] to trial for thoughts and convictions. Thoughts and convictions remain beyond the sphere of influence and control of the state; they are not within the jurisdiction of the state. The state's authority extends only to that which is expressed externally, not over what dwells inside the head. In the socio-political realm, that is in the plane of the state's activity, thoughts and convictions have always and everywhere been understood as thoughts materialized in form of words, expressed through some means to another person.

International legal acts (the UN Universal Declaration of Human Rights, the Final Act of the Helsinki Conference) also talk about thoughts and convictions in the sense of the right to disseminate them among other people, and not to keep them locked up in one's own head. The state cannot claim control over something that, as a result of man's physiological build, remains outside the bounds of its authority; therefore, the words "we do not persecute for thoughts" should be discarded on the trash pile as illogical subterfuge and a sophism.

The concept of democracy rests on a people's ability to understand their interests and, secondly, their ability to determine the correct methods of attaining the public weal.

The Ukrainian public was not informed of the arrest of Rudenko and Tykhy, and, later, of Matusevych and Marynovych, though both cases were not typical and undoubtedly held a great deal of interest for all socially conscious citizens of the republic. And the very fact that many of the witnesses were warned not to divulge details of the case against the arrested and were made to sign a document to this effect, raises suspicions that the KGB is preparing a secret reprisal.

Secret examinations of political cases, that is, cases that concern all citizens, attest to the KGB's distrust of the citizens. A secret trial is hardly ever justified, but in today's conditions it is all the more unjustified.

The citizenry's exposure to information promotes social involvement of the citizens; it is a precondition of the practical realization of the principles of a democratic society. Citizens are interested in knowing the phenomena and realities of their society, for only thanks to this knowledge are they able to take part in public and political life and to become active participants of the modern times they live in. Thus, inasmuch as the cases of Rudenko and Tykhy, Matusevych and Marynovych, deal with public matters, they should be presented in a public trial, for a secret trial would mean that their activity is detrimental not to society (as we were told), but to the KGB investigators, that is, that the KGB has interests separate from society's and must secretly protect them, as such, from the people.

A secret trial also goes against the traditions of our political life, which are set out in "The Laws By Which the Ukrainian People Are Tried" — the code that was in force here before the introduction of Russian legislation in Ukraine — and against Soviet laws and the norms of international law.

Article 91 of the Constitution of the UkrSSR declares:

> *The examination of cases in all courts of the UkrSSR is to be public, to the extent exceptions are not foreseen by the law, with the accused being guaranteed the right to a defense.*

The exceptions mentioned in the Constitution are established in Art. 20 of the Code Criminal Procedures of the UkrSSR. This article allows only two categories of cases to be heard behind closed doors: a) cases involving state secrets; b) a group of cases involving juvenile crimes, sexual crimes, and cases involving intimate circumstances of life. The law does not establish any more exceptions to the constitutional principle of openness in court examination of cases.

Inasmuch as the cases of all four arrested men have nothing in common either with state secrets (Art. 67, 68, Criminal Code of the UkrSSR), or with the second group of crimes, the law requires that their case be heard in public.

We consider the arrest of the four members of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords a gross violation of the constitutional right to freedom of speech and the international obligations of the Soviet Union in accordance with the Universal Declaration of Human Rights and the Final Act, resolutely voice our protest and demand their release from under guard. If they should be brought to trial nonetheless, then we demand: that before the trial the Ukrainian public be informed of the arrests of M. Rudenko, O. Tykhy, M. Matusevych and M. Marynovych, and of the nature of the charges against each; that the date of the beginning of the trial be announced in advance through the republic's press or radio; and that during the trial the course of the proceedings be reported by the republic's mass information media.

GROUP MEMBERS:

/Signed:/

Oles BERDNYK (group leader)[1]
Ivan KANDYBA
Levko LUKYANENKO
Petro GRIGORENKO
Oksana MESHKO
Nina STROKATA

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[1] Berdnyk became leader of the group after Rudenko's arrest; Meshko took over after Berdnyk was arrested and headed the group until her own arrest on June 12, 1980.

The copy of this document in possession of the Ukrainian Helsinki Guarantees for Ukraine Committee was undated. The document was written between April 24 and July 1, 1977.

Statement on the Fate of Bohdan Chuiko

Every organized society maintains its organized condition through a system of law and order. Law and order can be preserved in various ways (through terror or authoritative leadership, for example), but the most fundamental means is through law. And even when a group of people or a political party, assumes power and legislative authority (as in the case of Hitler's National Socialist German Workers' Party, for example) it nevertheless, with its arbitrary will, gives its law a framework and formulates it as the law of the state.

Democratic societies maintain law and order through legality, the only possible means of attaining a system of maximum justice. Where legality is absent, the average citizen finds himself bound by the unrestrained power of officials, and flutters vainly like a fly caught in a spider web, a bureaucratic maze.

A system of law should be the means of maintaining law and order in the Soviet Union as well. "Respect for law and legality should become the personal conviction of every individual. This applies especially to the actions of official persons. Any attempts to evade or circumvent the law, regardless of the motivation, should not be tolerated. Nor can any violation of the rights of the individual or any encroachment on the dignity of a citizen be tolerated." (Materials of the XXIV Congress of the CPSU. Kiev, 1971, p. 92).

Following is documentation of a gross violation of law which has placed an individual -- Bohdan Mykhailovich Chuiko -- in a horrible situation; he exists on the verge of death.

A Chernivstsy oblast court sentenced Chuiko to 15 years' imprisonment and 5 years' internal exile on June 23, 1972. Since a previous term had been figured into this time, Chuiko's term was to end on December 3, 1976. All that remained for him to serve was exile.

Chuiko wrote formal complaints from camp, based on the belief that he had been convicted illegally. He retained copies of these documents, and replies to them, in order to be able to have the opportunity to renew his petitioning for review of his sentences after his release. Prior to the end of his term, Chuiko gave his notes to the censor of camp -- VS 389-36 -- in the village of Kuchino, Perm oblast, for examination. These have not been returned, in violation of Chuiko's rights, since the law states that he has the right to keep such papers in his possession; this action also deprives him of the opportunity of using this collection of documents for the defense of his legal rights.

Chuiko is an elderly man and has long held the status of an invalid of Group II. In accordance with Article 100 of the Corrective Labor Code of the RSFSR, the camp administration should have transmitted Chuiko's materials to the regional peoples' court in his place of exile for him to be released, since individuals incapable of supporting themselves cannot be exiled. The camp administration failed to do this, thereby violating another of Chuiko's rights. Chuiko was prohibited from appearing before the court for cancellation of his term of exile; according to Chuiko:

> "I think the reason behind such cruelty was the Dolmatov character report which contained the following: '...considers himself innocent. Constantly complains. Hostile toward the regime. Had good relationships with other convicts openly hostile toward the regime. Negative influence on young convicts. Has failed to admit that he has committed a crime and has not stepped onto the path of reform.'"

On August 12, 1976, the VTEK commission confirmed Chuiko's status as a Group II invalid. The findings of the medical administration of the Ministry of Internal Affairs of the USSR of October 15, 1976 and November 4, 1976, supported this classification. Nevertheless, Chuiko was sent off to exile -- despite the fact that the law prohibits the application of exile as a form of punishment to Group II invalids.

The difficult journey, resettlement, and transportation by automobile in -50°C temperatures resulted in a new illness: double pneumonia accompanied with the spitting of blood.

Chuiko petitioned with regard to the application of exile in his case on July 15, 1976, to the Supreme Court of the Ukrainian SSR and on August 17, 1976, to the Presidium of the Supreme Soviet of the Ukrainian SSR:

> "...I am a Group II invalid fully incapable of work and therefore incapable of supporting myself through my own work. The findings of the VTEK commission of Perm oblast for the last 5 years (1972-76) recorded in my medical card attest to my invalid status and the complete disability which prevents me from working. I have no toes on either foot, deformed fingers on my right hand; I suffer from serious chronic ailments: hypertonia (of the third stage since 1974), general arteriosclerosis (2nd stage), cardiac insufficiency (2nd stage), and I have sustained a brain hemorrhage.
>
> "The findings of the VTEK commission in 1975 stated that the above-mentioned illnesses had advanced to the point where they failed to respond to medication.
>
> "At the present time, the state of my health is extremely poor: I have a buzzing sound in my ears and head, pains in my head and eyes, severely deteriorated vision, increasingly frequent attacks of angina pectoris, constant shortness of breath and impeded movement of the extremities.
>
> "In this condition I require constant outside care, support and medication. I am unable to support myself through labor.
>
> "On the basis of what I have documented here, I request to be released from exile."

The reply of P. Tsurenko, Deputy Chairman of the Supreme Court of the Ukrainian SSR: "...petition reviewed and rejected."

Reply of V. Golik, head of the section dealing with questions of pardon: "We inform you that your petition for pardon and release from exile has been reviewed and rejected."

The local authorities in the Bakchar region, Tomsk oblast, where Chuiko is serving his exile, are not in a position to provide him with either a place to live, food or other necessities because "...Soviet law prohibits the application of exile to invalids of Group II who are unable to support themselves through their own work...". (Article 79, "VTK" of the RSFSR; Commentary to the "VTK", Section 3, pp. 204-5, Jurid. Lit. 1973). This legislation fails to provide for the expense of the material support of disabled exiles.

In a complaint from exile, Chuiko writes:

> "The petitions of my wife, Mariya Mykhailivna Chuiko, addressed to the Ministry of Internal Affairs of the RSFSR with regard to my transfer to the city of Minurinsk, Tambov oblast, where I could live and be supported by her, were rejected on the grounds that there is no "exile zone" in Tambov oblast. The Ministry also fails to answer the question as to how I am to go about supporting myself, or who should support me in exile.
>
> "As a result of the illegal actions of camp VS 389-36, contrary to the findings of medical commissions, I have been assigned to live in climatic conditions disastrous to my health, to perish from illness, starvation and the cold...
>
> "These inhuman conditions have been created for me consciously and intentionally with the aim of forcing me to leave the village of Bakchara voluntarily, i.e. to violate administrative surveillance regulations and thereby provide them with a pretext for further repressions...."

This and similar statements written by Chuiko fly from office to office, from clerk to clerk, like a soccer ball. No one wants to settle this extremely simple case: the law does not provide for the exile of Group II invalids (nor does legislation mention the source of funds for the material support of such an exile). Chuiko is a Group II invalid who has been sent into exile either because of the evil intent of the administration of camp VS 389-36 or through some mistake; none of the possible and critically necessary actions or any applicable laws have been used to resolve his case.

The local authorities of the Bakchar region cannot take on the material support of an exile, since this would be a continuation of lawlessness. If such lawlessness continues, Chuiko will have to perish from starvation.

In a letter of February 12, Chuiko writes:

> "...Authoritative sources have informed me that no one will release me from my term of exile, nor will I be released to the care of my family. I will not receive my invalid's pension because I do not have the requisite 18 years' work record, and the exact time of the onset of my invalid status is uncertain. I cannot have my case resolved in Tomsk because I am prohibited from going there.
>
> "I have argued to the local authorities that the major portion of my term has been served and, through no fault of mine, I, a totally disabled person, have been sent into exile. I have been held here for almost three months without a place to live and without the means to exist. This can only be intended for one purpose: to bring me to the point where, due to hunger, cold, and disease, I would be forced to leave the village voluntarily and thereby provide the authorities with grounds for further cruel treatment; or to lead me to the brink of despair and, in my long-awaited liberty and freedom, to choose the form of torment I most prefer...I am advised to have my family send me money for my support in exile. I tell them that my wife is retired, my son is in the Soviet army and my minor daughter is in school -- who can possibly support me, and where are they to get the money? The authorities shrug their shoulders, the discussion ends along with all talk of a resolution of my case. I came to understand that everyone would be quite happy with the above-mentioned outcome of my situation because I have been dumped on their heads like a snowfall in summer...I await a final decision and my funds are running low. I go to the cafeteria once a day, but how long will this last?"

Chuiko was not given an apartment. He lives in a hotel, but is under administrative surveillance and therefore must stay in the hotel from 8 p.m. to 6 a.m. He is given not a single kopek and has three wardens assigned to him: one to deal with his exile, another with administrative surveillance and a third to monitor his activities -- is this not a cruel mockery!

In Kuchino, Perm oblast, authorities took Chuiko's documents for conformation of his invalid status, but in Bakchar, other authorities demand the same documents -- what is this if not bureaucratic tyranny and a violation of human rights!

We protest such arbitrary persecution and demand the release of Bohdan Mykhailovich Chuiko from exile on the grounds that he is suffering illegal punishment.

May 1977

Ukrainian Helsinki Group:

/Signed:/
Oles Berdnyk,
Group Leader
Petr Grigorenko
Ivan Kandyba
Levko Lukyanenko
Oksana Meshko
Nina Strokata-Karavansky

LETTER NO. 2[1]

TO THE GOVERNMENTS OF THE UkrSSR AND THE USSR

TO THE GOVERNMENTS OF COUNTRIES THAT SIGNED THE HELSINKI ACCORDS

The matter of preserving peace is a matter not only of government leaders, but also of the common people, and should therefore be resolved not only on government levels with the aid of limitations on rockets and bombs, but also with the elimination of mistrust between citizens of various countries through as many meetings as possible on an individual level between citizens of various countries.

We are conscious of our juridical rightness and historical progressiveness, but we also realize our frailty and the power of organized officialdom. They utilize the gigantic instrument of pressure against citizens who are disadvantageous to them: arrests, prisons, camps and persecution after release. Foremost is the problem of registration. They will not register one to live with the wife (or husband), with the children. A man suffers for many years before he is somehow united with his family. That is how it was with Bohdan Khrystynych, Ivan Kypysh, Mykhaylo Horyn and many, many other Ukrainian dissidents. Jobs are another means of pressure. There being no property or private firms, a person can earn a living from only one employer — the state. The organs of the KGB take advantage of this, forcing people with intellectual professions to work as stokers, toolmakers, electricians, etc. On the one hand, this deprives the dissidents of an environment that could be receptive to their ideas and sustain their own intellectual level; on the other hand, it also guarantees only a meager income and forces them to think only about extra income in their free time, thus drawing them away from community activity.

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[1] A copy of "Letter No. 1," presumably addressed to the same governments, did not reach the West. Copy of "Letter No. 2" was undated; the document was written between May and December 1977.

Administrative surveillance, control of correspondence, searches, dismissal from work, whispers to relatives and intimidation — all these are far from being a joking matter. Because of these obstacles the group was unable to collect a great amount of documented facts, but even the small number of letters and statements, "excerpts" from which we include in this letter, are enough to support the conclusions of this document and force us to:

Inform the governments of the countries that particpated in the Helsinki Conference and the general public about the gross violations of the Final Act and

Call on the governments of the UkrSSR and USSR to bring under control those officials who are violating human rights in the Ukrainian SSR!

Facts about violations of human rights, taken from letters and statements that came from Ukrainians living in Ukraine and in other republics of the Union.

I. POLITICAL PRISONERS

1. On April 14, 1977, Yevhen Sverstyuk's wife Lilya arrived from Kiev, a distance of 3000 kilometers, for a regular personal meeting with her husband. She was refused the meeting, allegedly for the reason that Sverstyuk's visiting privileges had been suspended. Somewhat later Lilya was offered a non-private meeting on the condition that she and her husband talk only in Russian. She agreed, but then the camp administration told her that the meeting would not take place because her husband refused. Lilya left. In protest against the illegal deprival of his personal meeting, Sverstyuk announced a hunger strike; he was supported by almost twenty persons. On April 30 Polyakov, the camp commander, sent Lilya Sverstyuk a telegram: "A meeting has been approved for late May or in June." And so an extreme form of protest, a hunger strike by twenty persons, was required for the camp commandant to countermand the illegality.

2. Valentyn Moroz announced a hunger strike, beginning May 15, in protest against the cancellation of his personal meeting with his wife.

3. Ivan Hel announced a hunger strike, demanding an improvement in living conditions for his wife and daughter, who live in damp and dark semi-basement quarters. (They [the authorities] refuse to improve their living conditions because Ivan Hel is a dissident.)

II. PSYCHIATRIC HOSPITALS

In accordance with the decision handed down by the Berehiv District Court Yosyp Terelya has again been placed in a psychiatric hospital for compulsory "treatment." (Y.

Terelya has spent fourteen years in prisons and also under "treatment" in psychiatric hospitals; in 1976 he was released as an absolutely healthy and normal person).

III. EXILES

Exile is a new form of imprisonment, and one not always with an easier regimen. Exiles are doomed to a wretched existence: they are deprived of the most essential necessities — housing, a job. In essence, an exile is an unescorted prisoner.

1. Volodymyr Vasylyk (spent five years in camps; in 1975 he was exiled to Tomsk Region for three years) defended the church in Ivano-Frankivsk. A new case has been initiated against him.
2. Mykola Kots (forty-five years old, with a higher education) works at various jobs in difficult conditions (both climatic and material). Provocations are continually being organized against him.
3. Vasyl Stus (a writer and critic) was exiled to Magadan Region in January 1977. He has been forced to work underground in the mine tunnels! In his letters he wrote, "I long for the camp." He is seriously ill.
4. Bohdan Chuyko (Tomsk Region) has been in exile since the end of 1976, following fifteen years of imprisonment. He has no housing or money for food. He cannot even provide the bare essentials for himself, for he is totally incapable of any work.

The administration is deaf to the problems of exiles, and often torments them psychologically. To receive permission for a trip to Ukraine during the holidays would bring fairy-tale happiness to an exile, and the administration does all in its power to make sure the exile's dream remains just that — a dream.

IV. RESIDENTIAL REGISTRATION AND EMPLOYMENT

Oleksander Nazarenko (an unfinished higher education) served a sentence from 1968 to 1973 for defending human rights and standing up for tbe rights of Ukrainians. On his return he was for a long time unable to receive a permit to live in Kiev. He moved to Skadovsk, where he married, and only then did he receive a residence permit. He works as a watchman at a water-pumping station. He is continuously subjected to mental torment.

His wife, Lidiya Huk (a doctor), was in 1973 sentenced to eighteen months under Art. 187-1 of the Criminal Code of the UkrSSR. She is being persecuted (false denunciations, threats of losing her job, etc.).

2. In 1976 Nadiya Svitlychna was released after four years of imprisonment. She still is not registered for residence anywhere. Neither has her seven-year-old son, who was illegally removed from the Kiev residential register at the time of his mother's arrest. Thus, he is deprived of an education and medical care. Svitlychna, who has a higher education, works as a groundskeeper.

3. Levko Lukyanenko (a group member) is under surveillance (for over a year now!); a lawyer, he is forced to work as an electrician.

4. Ivan Dyky and his wife Myroslava were sentenced to five and four years of camps, and five years of exile. For a long time they [the authorities] would not register Dyky at his wife's residence. Then he was given a temporary permit to live in Drohobych (for six months), after which he was removed from the register and registered in Stebnyk, eight kilometers away.

5. Mykola Breslavsky now lives in terrible conditions — seven people in one room (eighteen square meters); his material situation is very difficult.

6. Stepan Kurylyak (spent five years in the camps) is being subjected to continuous persecution. After a provocation, he was fired from a factory in Dubno; since late 1976 he has been unable to find work.

7. Kuzma Matviyuk (an engineer) is being denied work appropriate to his specialty and education. He is kept under surveillance.

8. Fedir Klymenko works as a toolmaker. An attempt was made on his life. He is kept under surveillance.

V. APPEALS FOR HELP RECEIVED BY THE GROUP

1. Vasyl Barladyanu (born in 1942, Moldavian, an art expert) is undergoing persecution for his convictions. He has been expelled from the party, dismissed from work, prevented from defending his dissertation. On March 2, 1977, he was arrested by the procuracy. In connection with his arrest, searches were conducted at [the apartments of] the following Odessa residents:

Daniyelyan, E. S.
Golumbiyevsky, A. V.
Mykhaylenko, A. V.
Barladyanu, V. V.
Siry (without the procurator's sanction).

2. On March 5, 1977, Vitaliy Kalynychenko (Dnipropetrovsk Region) was summoned to the district procurator's office, where he was warned that he was liable to criminal prosecution for disseminating the declaration of the Moscow and Ukrainian Groups to Promote (he had been released in 1976 after serving time under Art. 62, Sec. 1, of the Criminal Code of the UkrSSR; he lives under surveillance).

3. On April 23, 1977, in connection with the arrest of group members M. Marynovych and M. Matusevych, searches were conducted at [the apartments of] the following persons:

Rayisa Serhiychuk
Anastasiya Matusevych
Lyubov Marynovych
Nadiya Marynovych
Tamila Marynovych
Oleh Lapin
Lyubov Kheyna
Hanna Kovalenko
Yevhen Obertas
Mykhaylyna Kotsyubynska
Borys Antonenko-Davydovych

On April 23 a defamatory article was published in the newspaper *Literaturna Ukrayina*, in which filth was dumped on M. Kotsyubynska and B. Antonenko-Davydovych. The author was Hornovy. The headline read: "For a 'yes' they do not give money." The article appeared five days after the searches at M. Kotsyubynska's and B. Antonenko-Davydovych's.

VI. VIOLATIONS OF THE RIGHT OF A DEFENSE COUNSEL TO DEFEND, AND THE ACCUSED TO BE DEFENDED

Lawyer Serhiy Martysh (Kiev, Darnytsya Legal Advice Bureau) accepted an official commission to prepare an oversight complaint[2] in the case of Oleksander Serhiyenko; the lawyer, however, was not allowed access to court materials, which are kept in the archives of the KGB. The refusal sounded like this: "It isn't done, because it isn't done."

The lawyer prepared the oversight complaint nonetheless. He wrote it from memory on the basis of his old notes (he had defended Serhiyenko in regional court), but was forbidden to travel to Vladimir Prison to verify the oversight complaint with the accused. The Collegium of Lawyers sent the lawyer's complaint by special shuttle, but it got "lost." Later it was learned that the oversight complaint had been handed to the defendant in camp, but was forcibly confiscated from him a short while later together with some attached rough notes.

Apart from this, all the working papers pertaining to his legal case were taken from O. Serhiyenko in prison to deny him the opportunity to continue lodging complaints about a review of a questionable court case.

/Signed:/

Oles BERDNYK
Nina STROKATA
Oksana MESHKO
Ivan KANDYBA
Levko LUKYANENKO
Petro GRIGORENKO
Petro VINS
Olha HEYKO (MATUSEVYCH)

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[2] Oleksander Serhiyenko was sentenced in June 1972 to seven years' strict-regime labor camp and three years' exile. The trial was closed and numerous other legal standards were violated. No doubt Serhiyenko wanted to file a complaint over the procurator's role in his case, whose duty it is to see that legal norms are adhered to in all criminal cases.

AN OPEN LETTER

TO: THE FIRST SECRETARY OF THE CENTRAL COMMITTEE
OF THE COMMUNIST PARTY OF UKRAINE,
V. V. SHCHERBYTSKY

Copy: The Congress of the United States
Copy: The Washington Committee to Promote the Implementation of the Helsinki Accords in Ukraine,[1] Dr. A. Zwarun

Volodymyr Vasylyovych!

For a few years now you have been informed about the situation in which I have found myself since being expelled from the Writers' Union: a beggar's existence, a total ban on the publication of my works, eternal persecution by the security organs, searches, electronic surveillance, provocations, the looting of my literary archives, the impossibility of creative self-expression. And finally, in line with Order No. 31, dated August 13, 1976, and issued by the Main Administration for the Safeguarding of State Secrets in Print (of the Council of Ministers), all my books (even for

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1. Reference is to the Washington-based Helsinki Guarantees for Ukraine Committee, of which Dr. Andrew Zwarun is president.

children) were destroyed, removed from libraries and taken *off the book market.*[2]

In its most recent search, in December 1976, the KGB confiscated almost all my literary archives — unfinished short stories, philosophical works, a writer's diary, etc.

Does world public opinion need more evidence that to the bureaucratic system of our country the Helsinki Accords are empty words, when a fiction writer, a dreamer, a futurologist, an author of several dozen books about the future, about a New World of Love and Unity, is crushed and subjected to the public punishment of humiliation?!

In spite of my numerous personal appeals to you for help in unraveling my life's knot, I have received neither help nor a reply! There is no hope of having the creative status of a writer reinstated, and without this I cannot contemplate further living! I have but one solution — to emigrate with my family to the USA or Canada, from where I have received invitations. There I could continue my work in the field of futurology.

The alternative to emigration: DEATH. I will suffocate in this atmosphere of lawlessness and vicious persecution. I will say openly that I would rather not live in a foreign land. But "patriotically" to await arrest or other forms of repression, while living in poverty with a small child at the homes of others, under the unflinching eye of the KGB — this my soul does not accept!

This mental oppressiveness is driving me to a radical step: on March 21, 1977, I will begin a hunger strike until a FATAL END, unless you give me a radical reply. This is not a threat, Volodymyr Vasylyovych! It is simply a natural escape from the labyrinth of lawlessness into which I was thrust by the apologists of arbitrariness.

I hold you personally responsible for whether I shall receive an answer this time. Do not heed the bureaucratic whispers who assure that I am blackmailing the Central Committee. I have forty days, as do you, after which each day may bring that GUEST who passes no one by. In my situation, I prefer to go meet him, for DEATH in these times is more merciful than men!

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[2] Berdnyk provides a good description of what happens to those expelled from the Writers' Union or from any professional union in the USSR. Only members in good standing are able to have their works published.

May fate keep you from the same straits as those in which I and my colleagues in misfortune find ourselves.

March 18, 1977

Sincerely,

/Signed:/ *Oles BERDNYK*

Member, Ukrainian Public Group
To Promote the Implementation
of the Helsinki Accords

AN APPEAL

To: The Governments of States Signatory to the Helsinki Final Act
The U.N. Human Rights Commission
World Council of Churches
Amnesty International
All Christians of the World

Since October 1977, repressions against Evangelical Christian Baptists in the USSR have intensified noticeably.

Authorities have conducted searches in the homes of believers in Kiev, Rostov, Dzhambula, Alma-Ata, Frunze, and Dzhetysai in Chimkent oblast. More copies of the Bible, the Gospel, volumes of spiritual hymns and other religious literature are being seized.

In the last three months, arrests and trials of believers have been conducted in many cities around the country.

1. November 5, 1977. Mosakalensk region, Omsk oblast. Evangelical Christian Baptists A.A. Pinner and K.G. Gur were arrested.

2. November 17, 1977. Presbyter of the Timashevsk church in Krasnodarski krai G.V. Kostyuchenko, who was recently released from detention, was arrested again. On December 29, the court sentenced him to a year of imprisonment. He is the father of nine children.

3. November 25, 1977. City of Kingisepp, Leningrad oblast. The following employees of "The Christian" publishers were sentenced: Larisa Zaitseva to 3½ years in general regimen labor camp; Lyudmila Zaitseva to 4 years in general regimen camp; I.I. Leven, five years of general regimen camp; D.I. Koop to 3½ years in general regimen camp. Leven is the father of ten children; Koop is the father of five.

4. In the city of Issyk in Alma-Ata oblast, Ya. P. Volf was sentenced to two years in camp, and A. Klassen to 2½ years of imprisonment for giving children religious instruction.

5. On December 9, 1977, in the city of Dzhetysai in Chimkent oblast, P.I. Verner was arrested. Authorities confiscated from his apartment religious literature that had been printed by "The Christian". Verner is the father of ten children.

6. A. Bibe and A. Petker were detained while transporting religious literature on December 12, 1977.

On December 27, 1977, members of the Novosibirsk Evangelical Christian Baptist Church N. Ye. Zherebnenkov, Ya. K. Kreker, V. R. Karman and L. I. Yakimov were taken off a train in Semipalatinsk.

7. On December 8, 1977, organs of the procuracy conducted searches in the apartments of seven believers in the city of Dzhambula. Church literature, 22,000 rubles of church funds, and privately-owned religious literature was confiscated. The following individuals were arrested: P.F. Panfidin, Ya. Ya. Fot, B.I. Bergen, and G.V. Omelich. Later, B.I. Bergen and G.V. Omelich were released after signing a statement to the effect that they would not leave the city.

8. December 19, 1977, a member of the Evangelical Christian Baptist Council, Ivan Yakovlevich, was arrested in the city of Kirovograd. Previously, he had served two terms of imprisonment for his belief in God.

9. On January 3, 1978, in the city of Rostov-on-Don, minister of the local church, Pyotr Danilovich Peters, was arrested. He has already served three terms of imprisonment for his Christian convictions.

The threat of arrest hangs constantly over members of the Council of Evangelical Christian Baptist Churches (M.I. Khorev, N.G. Baturin, D.V. Minyakov); Council Chairman, G.K. Kryuchkov; Church Council Sextons, Ya. G. Skoriakov, P.T. Rytikov and Ye. N. Plyushkov.

This persecution of believers for their convictions in our country contradicts the Helsinki Final Act which was signed by the Soviet government.

We appeal to all Christians of the world, the U.N. Human Rights Commission, Amnesty International and the World Council of Churches to come forward in protest of the repressions the Soviet government has directed against Evangelical Christian Baptists, repressions which have become even more widespread and single-minded since the adoption of the new Constitution of the USSR.

January 1978 Ukrainian Helsinki Group:

/Signed:/ Petro Vins
Nina Strokata-Karavansky

Statement on the Trials of Helsinki Monitors

In the Soviet Union, vile crimes have again been committed against liberty, justice and humanism. There have been political reprisals against activists in the struggle for right and freedom in our country, against Yuri Orlov, Lev Lukyanenko, Aleksandr Ginzburg, Anatoli Shcharansky, Viktoras Petkus, and others who have been sentenced to long terms of imprisonment. We are deeply disturbed by these inhuman forms of violence against our comrades, people whose "criminal activity" consisted solely in that they bravely and openly spoke out against the systematic stifling of basic rights and freedom in their own country. As is known, these rights and freedoms are proclaimed in the United Nations pacts, the Final Act of the Helsinki Accords, and by the Soviet Constitution.

Such "judicial" trials are another of numerous examples that "Soviet justice" has nothing in common with the principles of real law, justice, and with the norms of universal morality. The practice of "Soviet justice" does not reveal a single instance when the "court" has not declared guilty those whom the Party and governmental leadership consider their political opponents. And this -- not to mention all the other instances -- is irrefutable proof of the fact that the decisions of Soviet "courts" are governed only by the political orders of the Central Committee in which truth and justice far from always triumphs. We are absolutely convinced that the Soviet "trial" is merely one of the instruments of punitive policies of the political authorities in our country.

The history of "Soviet justice" and its contemporary reality leads us to believe that Soviet political trials are essentially the same as the so-called "peoples' courts" of Fascist Germany which were not governed by the principles of law, justice and humanism, but by the interests of international socialism and of the Third Reich. The whole world knows what all this brought on the German people. Unfortunately, the world does not yet realize what an analogous practice may bring on the Soviet people.

The world ought to realize that Sovietism and freedom are a basic contradiction.

Such severe punishment by the Soviet regime of leading activists in the struggle for civil rights and freedoms in the USSR -- Yuri Orlov, 12 years; Lev Lukyanenko, 15 years; Aleksandr Ginzburg, 8 years; Anatoli Shcharansky, 13 years; and Viktoras Petkus, 15 years of imprisonment -- is a heavy blow against our movement. Nevertheless, this blow has not killed the spirit of freethinking in our country. New Lukyanenkos, Orlovs, and Ginzburgs are joining the movement. Hundreds, thousands are still becoming active in the struggle for right and freedom. They join us because our movement is timely; it voices the natural need for a free Soviet society.

The bravery and determination and the unwavering adherence to the ideals of freedom and humanism shown by our comrades during the trials and investigation, instills more bravery and determination in us and it even further strengthens our belief in our just cause. We are deeply convinced that we will not stand alone in [illegible] difficult struggle for legal rights.

We express our profound gratitude to people of good will -- to all those who sympathize with our movement, revealing understanding and solidarity with it.

We express our absolute contempt for all those who today give direct or indirect aid to the reactionary politics of the Soviet government.

August, 1978

Ukrainian Helsinki Group:[1]

Mykola Rudenko
Oleksiy Tykhy
Mykola Matusevych
Myroslav Marynovych
Petro Vins
Levko Lukyanenko
Petro Hryhorenko
Oles Berdnyk
Vitaly Kalynychenko
Ivan Kandyba
Oksana Meshko
Vasil Sichko
Nina Strokata-Karavansky

To the Executive of the Socialist International
To All Socialists Throughout the World

Dear Comrades and Friends!

On July 20th, 1978 the Chernihiv oblast court sentenced the socialist Lev Lukyanenko, founder of the Ukrainian Public Group to Monitor Compliance with the Helsinki Accords, to 10 years' imprisonment in a strict regimen labor camp and five years' exile in a remote region of the USSR. In this way Soviet "jurisprudence" has perpetrated one more offense against freedom, justice, democracy and socialism.

Who is Lev Lukyanenko, and what are the "heinous crimes" for which he has received such a harsh sentence?

In 1928, Lev Hryhorovych Lukyanenko was born to a peasant family in the village of Khrypivka, Horodnyansk region, Chernihiv oblast, Ukraine.

As all other children his age, Lukyanenko was a member of "Octobrists" and the "Pioneers".* As a child, he witnessed the greatest tragedy to befall the Ukrainian nation, the famine of 1933, which took several million lives. As a ten-year-old, he witnessed 1937, that horrible year of Yezhov's tyranny. World War II singed Lev Lukyanenko's youth as he learned the significance of Hilter's fascism and, as an enlisted soldier, the meaning of war. At sixteen, Lukyanenko entered into combat in 1944, fighting for European liberation from Hitler and tasting victory in Austria. Until 1952, he was in the Soviet Army, and then joined the Communist Party. After demobilization, he studied in the law faculty of Moscow University.

For many people, the death of Stalin, and more important, the "exposure of the personality cult" revealed several characteristic features of Soviet reality. Young Lukyanenko was one of the few Soviet Communists who could no longer shut his eyes to the cult of Khrushchev.

These people assessed the Soviet internal politics and its social structure, and reached a critical evaluation of the ideo-political program of the USSR. In this way, independent thought arose -- or what in the West is currently called "dissent". In the Khrushchev era, legal, semi-legal, and underground, oppositional groups emerged, essentially socialist in Russia, but having both national and socialist characteristics in outlying regions.

The most representative of these organizations, both nationalist and socialist in character, was the Ukrainian Workers' and Peasants' Union (UWPU), founded by Lev Lukyanenko, Ivan Kandyba, Stepan Virun and others. Its program was consistent with the principles of proletarian internationalism, the foundations of Soviet rule (such as the power of the proletariat), and the spirit and letter of the Soviet Constitution.

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* (Two official Soviet youth organizations--Ed.)

One of the principle points of the UWPU Program (which, alas, we cannot cite directly since that document is only in the archives of the KGB and the Court) is about the way in which Ukrainian national consciousness has evolved towards self-determination, and with the resultant possibility of Ukrainian secession from the Soviet Union. The USSR does not fully facilitate the economic, socio-political and cultural development of Ukraine (the Soviet Constitution gives constituent republics the right to secede from the USSR).

From this program it is evident that the UWPU was based on socialist principles and did not favor the restoration of capitalism either in the present-day Ukrainian SSR or in a future independent socialist Ukraine. The Ukrainian Workers' and Peasants' Union held that it was its international obligation to struggle for a union of socialist states based on equality and justice, in no way contradictory to the principles of proletarian solidarity.

In the area of economics, the Workers' and Peasants' Union advocated the evolution of three sectors of enterprise: the societal (socialist), the state, and the private. Its program guaranteed all citizens the right to a separate sector for independent enterprise, while favoring the societal, i.e. the socialist, sector.

In the political sphere, the UWPU advocated limitation of state power and espoused a greater democratization of society. All citizens, organizations, and political parties were to have equal rights and the opportunity to take an active part in the life of society, and to play an active role in government.

In the national sphere, the Union stated that all national minorities residing in the territory of an independent Ukraine would be guaranteed equal rights and opportunities, i.e. civil rights, as well as broad rights and the chance to evolve their national culture. The UWPU was actively opposed to great-power chauvinism and to ultra-reactionary nationalism, arguing that both bring only misfortune to all nationalities, and, above all, to workers.

The UWPU program stated that it did not wish to achieve its goals through violence. The only correct way to attain its program was to raise social consciousness through legal -- and in extreme circumstances extra-legal -- forms of agitation and propaganda.

In brief, this was the basic program of the Ukrainian Workers' and Peasants' Union organized by Lev Lukyanenko and others.

Both in the East and West socialism is evolving toward democratization. In Ukraine, the spirit of democratic socialism endures as it continues to search for new forms of self-expression.

In 1961, the members of the Ukrainian Workers' and Peasants' Union were arrested and charged with "treason against the Fatherland and anti-Soviet agitation and propaganda". The Lvov Regional Court sentenced Lukyanenko to death; Ivan Kandyba to 15 years' loss of freedom; and the remaining members to between 11 and 7 years' loss of freedom. The Soviet Supreme Court commuted Lukyanenko's death sentence to 15 years in the corrective labor camps.

This court action was another blatant denial of an elementary right of the Ukrainian nation to self-determination, i.e. the right of Ukraine to its own freedom.

This court action scorned the right of a society to decide economic, political and other issues.

This court decision scoffed at the basic individual rights and freedoms guaranteed in the Universal Declaration of Human Rights, and in the Soviet Constitution.

Finally, the Soviet government, in its court-action against Lukyanenko and his colleagues, sinned against democracy and socialism which the Soviet authorities pretend to uphold.

Neither the investigation and trial, nor 15 years in the Gulag, could break Lev Lukyanenko's spirit. The words of Taras Shevchenko, the Ukrainian national poet, apply to Lukyanenko: "I suffer, I feel pain, but I do not recant...". These words embody the indomitable Ukrainian spirit, which has helped Ukraine endure, live, and continue its struggle for freedom, dignity, and self-determination. And,as long as there are other people such as Lev Lukyanenko in Ukraine, then, indeed, it has a future.

After completing his sentence in 1976, Lukyanenko was under overt and covert surveillance, daily risking his life and liberty. Nevertheless, Lukyanenko was active in creating the Ukrainian Helsinki Monitoring Group, essentially serving as its founder and leader.

In addition to various other activities, Lukyanenko wrote excellent essays in defense of Moroz*, Ruban**, Rudenko***, and others. He addressed letters, petitions and appeals to Soviet governmental institutions, exposing blatant violations of human rights and freedoms in the USSR. His energy, kindness and faith in the ideals of freedom and justice -- in humanized socialism -- inspired his friends and fellow-thinkers. In his life and struggles, Lukyanenko searched for a new evolution of democratic socialism in Ukraine, and for the international unity of all true socialists.

This is a brief sketch of Lev Lukyanenko, the Ukrainian social activist and socialist lawyer.

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* (Valentyn Moroz, Ukrainian historian, sentenced in 1970 to 6 years prison, 3 years camp, and 5 years internal exile for "anti-Soviet agitation and propaganda"--Ed.)

** (Petr Ruban, an artisan, sentenced in 1977 to 8 years in special regimen camp and 5 years internal exile for stealing state property. In 1976, Ruban carved a wooden book cover with the Statue of Liberty as a present for the American people on their 200th anniversary--Ed.)

*** (Mykola Rudenko, founder of the Ukrainian Helsinki Group, see p. for further information--Ed.)

The recent trial of Lev Lukyanenko by Soviet authorities is proof that the present regime in our country has nothing in common either with true socialism or with the general concept of democracy.

We call upon all socialists and their supporters to speak out in defense of our friend, a true fighter for the ideals of an emancipated socialism, a true fighter for freedom and justice!

The blow against Lev Lukyanenko is against socialism be it in Germany, France, Italy, the United States, England, Japan.... It is a blow against the workers' movement throughout the world, and against the national liberation struggle.

We call upon you, dear comrades, to acknowledge this truth.

We call upon you to express true international solidarity with the fighters for social and national emancipation in the Soviet Union.

We call upon you to respond not merely with verbal unity but united action -- with struggle against the world of violence.

We want to believe that the Socialist International will acknowledge that our struggle is not merely "our internal affair".

We want to believe that you will not abandon us today to Soviet totalitarian militarism.

Only in this way can the world socialist movement demonstrate its role as a progressive contemporary force.

August, 1978

Members of the Ukrainian
Public Group to Promote
the Implementation of
the Helsinki Accords

AN APPEAL

To the UN Commission on Human Rights and Freedoms[1]

To the Governments and Parliaments of States that signed the Helsinki Accords

To all the World's Democratic Men and Democratic Women

To the Citizenry of All Countries

It is common knowledge that the movement in defense of rights in the USSR grew out of the natural needs of a society in defense of its rights and human rights, which are restricted and ignored by certain state organs.

Thanks to their activities in defense of rights, the Helsinki groups in the USSR have won praise and had their authority recognized not only among the citizens of their own countries, but won also the praise and sympathy of the whole democratic world. It was for this reason that the entire colossal machine of state violence — the KGB, the police, the procuracy, the courts, the press, etc. — came down hard on the groups defending rights.

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1. The official name is the United Nations Commission on Human Rights.

The Ukrainian Helsinki Group is founded on legal principles, in accordance with rights guaranteed by the Soviet Constitution, with the rights announced by the UN Universal Declaration [of Human Rights] and finally on the basis of the Final Act of the Helsinki Conference, a document signed by the heads of government and heads of state of thirty-five countries, L. BREZHNEV among them.

From the first day of the creation of the Ukrainian Helsinki Group to this very day, it and its members have been subjected and are still being subjected to the most varied forms of violence, beginning with direct hooliganism and ending with ten-year terms in special-regime [labor] camps.

Thus, on November 9, 1976,[2] the day the group was formed, the apartment of writer Mykola Rudenko (in Koncha-Zaspa near Kiev) was the target of a pogrom. The rocks flew up to the second floor, through the windows and onto the balcony. One huge rock hit Oksana Meshko in the shoulder, others did damage inside the living quarters.

It is known that the first attacks were aimed precisely at the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords. Pogrom-like searches were perpetrated in December 1976 in the apartments of group members M. Rudenko, O. Tykhy and O. Berdnyk.

On February 5, 1977, the head of the group, writer Mykola Rudenko, and a founding member, pedagogue Oleksa Tykhy, were arrested.

On April 23, group members Mykola Matusevych, a historian, and Myroslav Marynovych, an engineer, were thrown behind bars.

On December 12, 1977, Lev Lukyanenko, a jurist and spokesman for the group, was unjustly put in prison a second time.

On February 12, 1978, group member Petro Vins was arrested.

So, in the year and a half of the Ukrainian Helsinki Group's existence, six of its members were arrested and sentenced to maximum terms. These acts of violence against fighters for human rights in the USSR were meant by the government organs to frighten the rest of the group members and put a halt to any activities of a human rights nature in Ukraine. But the KGB's predictions failed to come true. Althought the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords has suffered very severe losses, its noble work continues.

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[2] This date appeared in the copy received by the Helsinki Guarantees for Ukraine Committee as November 16, 1976; obviously, that was a typographical error.

And now, the authorities, without using the so-called Soviet system of justice, began to terrorize directly the members of the group and all those who are in solidarity with the group or connected to it in any way, creating inhuman conditions of existence for them, for example — overt and covert surveillance, body searches in apartments and on [public] transportation, warnings, extensions of terms of administrative surveillance, bribery, blackmail, intimidation, denunciations, thefts of the group's documents, and so on.

On June 24, 1978, in a compartment car of the Kiev-Moscow train, KGB agents stole a packet with informational materials of the Ukrainian Helsinki Group from Citizen D. The Moscow Third Section of the railroad police detained this passanger for three hours, even though she had not reported the theft.

On August 25, 1978, a second packet of materials for the group's Information Bulletin was turned over to the KGB by Candidate of Historical Science Serhiy Bilokin. After providing this service for these organs, the Ukrainian scholar was allowed to register for residence in Kiev and given a job in his profession. And for years S. Bilokin had been persecuted because of his patriotism.

On August 30, 1978, state security organs conducted a search — without the sanction of the procurator — in two Kiev apartments: at Verbolozna Street 18, at [the home of] Valentyn A. Terpylo, and at Kindratyuk Street 4, Apt. 63, at [the home of] Olena Lelyuk. A denunciation by Mykola

Kryuchok served as the pretext for the searches. He informed the KGB that he had allegedly dug up out of the ground "anti-Soviet literature" that belonged to Oksana Meshko, *that he "saw" O. Lelyuk allegedly visiting O. Meshko* and that they are "of one mind." For his cooperation with the KGB the metal worker M. Kryuchok received an apartment, bypassing the waiting list. In his own words, for "doing hack work" he receives a monthly salary — "over sixty rubles." In other words, M. Kryuchok himself assesses his denunciations as "hack work" for which he gets paid.

In October 1978 the group's archives that were in the safekeeping of Larysa and Imre Vasko, Kiev pedagogues who also were Ukrainophiles and supporters of the movement in defense of rights, were handed over to KGB agents. On the demand of their KGB guardians and accompanied by them, the frightened couple journeyed to I. Vasko's old mother in Uzhhorod, where employees of state security conducted a search, without a procurator's sanction.

Besides the archives of the Ukrainian Helsinki Group, strictly personal materials belonging to Oksana Meshko were also "confiscated" from the Vaskos, for example, correspondence and unique tape recordings of: 1.) the poetry of Vasyl Stus and Mykola Kholodny, recited by the authors themselves; 2.) Oles Serhiyenko's interview with the poetess Lina Kostenko and several other Ukrainian writers and artists, recorded while on a caroling outing during the 1966 Christmas Holidays; 3.) a recording of Yevhen Sverstyuk's lecture and discussion with the upperclassmen of the Taras Shevchenko School in Kiev in 1970 on the theme "Shevchenko — poet, writer, artist"; 4.) several uniquely wonderful concerts by the Veryovka Choir under the direction of A. Avdiyevsky; and other things.

We do not know how the teachers Vasko were paid (they had received their four-room apartment prior to their perfidy), but the fact that they were not deprived of their jobs in their profession is a considerable compensation in conditions of Soviet reality.

Serhiy Bilokin, the married Vasko couple and other unnamed and innumerable nationally conscious citizens who are spiritually crushed as a result of their own deed of "voluntary" perfidy, are victims of our social order, cultivated by lawlessness and violence.

Oksana Meshko's apartment has been placed under constant surveillance. The police often detain and search with the participation of persons in civilian dress those who come to visit her. That is what happened several times to Yuriy Lytvyn, who was later placed under administrative surveillance and forbidden to visit Kiev. That is what happened in October 1978 to Mykola Matusevych's mother and sister. In August, they [the authorities] detained and searched Ukrainian Helsinki Group member Vasyl Sichko, Oles Berdnyk's wife Valya, and Mykhaylo Melnyk.[3] Volodymyr Sirenko, a literary assistant, Borys Dovhalyuk, an engineer from Dnipropetrovsk, and Lyuba Andrushko from Ternopil Region have been detained and interrogated.

Back on February 13, 1978, Oksana Meshko was forcibly taken to the Republic KGB, where she was served with a special warning (which, by the way, was filled out on printed forms with the note "not to be publicized") that if she does not cease her "anti-Soviet activities," criminal proceedings would be initiated against her. Similar warnings were received by group members Vitaliy Kalynychenko, Ivan Kandyba and Nina Strokata.

The armed attack perpetrated November 3, 1978, against Oksana Meshko — ostensibly a robbery attempt — is clearly evidence that the KGB has decided to employ the most brutal means of intimidation against members of the group. Knowing what an important role this courageous mother of prisoner of conscience Oleksander Serhiyenko, a woman, dedicated to the idea of liberty, plays in the Ukrainian movement in defense of rights, the authorities want to finish her off in precisely this way. We remind everyone that Oksana Meshko is seventy-four years old and endured ten years of Stalinist concentration camps; the state of her health is far from satisfactory.

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[3] Melnyk committed suicide March 9, 1979, two days after a KGB search of his apartment, which was the last of a long list of acts of harassment.

It should be noted that on the day of the criminal attack on Oksana Meshko — November 3, 1978 — an employee of the KGB in the Dolyna District of Ivano-Frankivsk Region, a man by the name of Kachurin, came to the apartment of one of the group members, Vasyl Striltsiv, and, without presenting him any written subpoena, suggested that he go to the KGB for a talk with the authorities. V. Striltsiv, however, refused to come. That same day, employees of state security Sokan and Petrun came to the home of group members Petro and Vasyl Sichko in the town of Dolyna. They groundlessly accused the father and son of being anti-Soviet.

On October 6, 1978, group members V. Striltsiv, P. Sichko, V. Sichko, and the latter's mother, Stefa Sichko, were either called in or delivered to the KGB in Dolyna, where Colonel Cherkasov and the senior supervisor of the state security administration, Popov, with incredible disregard for elementary legality, warned them that "if anything happens in the district during the first anniversary observance of the new constitution of the USSR, they would be immediately arrested." This is how the above-named members of the KGB mock the "inviolability of the individual"proclaimed in the Soviet Union.

On December 14, 1978, the People's Court in Dolyna informed Vasyl Striltsiv, an English teacher in the town's High School No. 1, that the school's principal, V. D. Lavriv, filed against him a suit for slander (Art. 125 of the Criminal Code of the Ukrainian SSR, punishable by one to three years' deprivation of liberty). Back in May 1978 KGB Colonel Cherkasov, trying to persuade Striltsiv to quit the group, said: "We'll facilitate your return to HS No. 1 and Lavriv will acknowledge his mistakes at a teachers' meeting. And what about the group? Can one be a teacher and, at the same time, a member of the Helsinki Group?"

Striltsiv firmly rejected the KGB proposal; the problem of finding a job remained unresolved. V. Striltsiv's statements of appeal to the appropriate Soviet institutions against the illegal actions of school principal Lavriv are now being used in the court case against the aggrieved. Thus, Helsinki Group member V. Striltsiv now faces imprisonment on a criminal charge. The authorities seek to hide the true reason for the punishment — V. Striltsiv's membership in the movement in defense of rights.

At the same time, harassment of yet another member, Nina Strokata, the wife of the imprisoned Svyatoslav Karavansky, has begun. The newspaper *Radyanska Bukovyna* on November 22 and 23 of this year published articles of a libelous nature, aiming the point of discreditation at the Ukrainian Helsinki Group.

With the arrest of Yosyf Zisels, our collaborator and active correspondent, the group suffered a great loss. He was arrested by KGB organs on December 8 of this year in the city of Chernivtsi. The arrest was preceded by a search of his apartment; they searched for pornographic materials but confiscated so-called anti-Soviet literature, a file on political exiles, a list of victims of special psychiatric prisons sent there for dissidence, and many revealingly informative reports from throughout the Ukrainian SSR.

After the armed attack November 3, 1978, on O. Meshko, a second outrageous act against a human being was perpetrated, one no less brutal. On November 19 of this year O. Meshko and O. [Olha] Orlova visited Vasyl Ovsiyenko in the village of Lenine in Zhytomyr Region. (His period of administrative surveillance has been extended, with no basis whatsoever, for a third time, after he served four years of imprisonment under Art. 62, Sec. 1, of the CC UkrSSR.) As V. Ovsiyenko was escorting his guests to the bus, a police car stopped them on the road. Two police officers and an "incognito" plainclothesman forced everyone into the car and took them to the village council of Lenine for the purpose of an "identification check," even though O. Meshko had her passport and V. Ovsiyenko is under their surveillance. There, having spread them throughout the meeting rooms, they subjected each separately to a search and interrogation. They kept them for over three hours, then late that evening, so that people would not see, they forcibly dragged O. Orlova and carried O. Meshko out to a police van. They bounced them around over nineteen kilometers of rural potholes to the bus stop in Radomyshl, from where the entire shipment left for Kiev. V. Ovsiyenko was again cited for "regimen violations," while O. Meshko was promised that "that's not all that would happen" to them if they ever showed up in Lenine again.

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And what about V. Ovsiyenko? For this, and nothing else, a criminal case based on Art. 188-1 of the CC UkrSSr is being prepared against him. There was no violation of the surveillance regimen on his part, not to mention of law and order. The violators of civil order proved to be the employees of the MVD and the KGB. Having subjected people to mockery in broad daylight they try to protect themselves from possible liability by fabricating a criminal case against V. Ovsiyenko. His situation, that of one who is under surveillance (V. Ovsiyenko is now forbidden to leave the village of Lenine), deprives him of the opportunity to organize his defense in time.

Aware as we are that the present political regime in the USSR has not rejected judicial reprisals against members of the Helsinki Groups and will continue to practice them, we feel it necessary to state in this APPEAL our position with respect to so-called Soviet jurisprudence, to wit: We are firmly convinced that the courts in the USSR are part of the punitive organs that implement the policies of the CPSU, which considers all dissent, every activity not in conformity with the official line, to be a crime. Therefore, the courts, inasmuch as they are instruments of such policy, cannot sanction that which the party at the present stage considers harmful to it. Testimony to this is the whole history of the practice of Soviet jurisprudence, in which there has never been a single case where the courts vindicated those accused by the state and the party. That was the case during the period of the "Red Terror," [4] that was the case during the

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[4] The period of planned terror, carried out by the first Soviet security police

Yezhovshchyna[5] and *Beriyivshchyna*[6] periods. The recent trials of defenders of rights add testimony that this is also the case today. This means that so-called Soviet justice will continue to remain a punitive organ of the party's policies, which are directed towards a physical vendetta against all those that the CPSU views as its ideological opponents or rivals. And so we are convinced that Soviet legal procedures are an empty formality and that defense through counsel is just another such empty formality.

Taking all this into account, we reject any participation in investigations and court proceedings, since we view these organs not as judicial ones but as strictly punitive, that is, organs not of trial, but of reprisal. This is precisely why we cannot trust them to deliver true justice. This is precisely why we will be forced in future trials to announce our boycott of the penal policies of the CPSU.

We believe that all freedom-loving people on Earth who are familiar with the structure of our state will understand our position properly and will give us their moral support in our difficult struggle for rights and freedoms in the Soviet Union.

Ukraine, November 7 — December 15, 1978

GROUP MEMBERS:

Those sentenced to terms [of imprisonment and internal exile]:

1. Mykola RUDENKO	*12 years*
2. Oleksa TYKHY	*15 years*
3. Lev LUKYANENKO	*15 years*
4. Mykola MATUSEVYCH	*12 years*
5. Myroslav MARYNOVYCH	*12 years*
6. Petro VINS	*1 year*

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[5] The years 1936-1938, the most violent stage of the great purges in the USSR, named after then chief of the security police (the NKVD), Nikolay Ivanovich Yezhov.

[6] The years 1938-1953, when Lavrentiy Beria, as chief of the security police was in charge of the organs of terror and the network of labor camps.

Those under the sword of Damocles:

1. *Oles BERDNYK*
2. *Vitaliy KALYNYCHENKO*
3. *Ivan KANDYBA*
4. *Oksana MESHKO*
5. *Vasyl SICHKO*
6. *Petro SICHKO*
7. *Vasyl STRILTSIV*
8. *Nina STROKATA*

VI—THE VERDICT AND ADDITIONAL MATERIALS PERTAINING TO THE CASE OF MYKOLA RUDENKO AND OLEKSIY TYKHY

TO THE HELSINKI GROUPS OF THE USSR AND THE USA
TO GROUPS IN DEFENSE OF RIGHTS IN POLAND AND CZECHOSLOVAKIA

We ask you to turn serious attention to the ever-intensifying atmosphere of terror in which the participants of the Ukrainian movement in defense of rights find themselves. As is known, Ukrainians form a majority among those who are repressed in the USSR. Members of the Ukrainian Helsinki Group have been sentenced to long terms of the bondage of martyrs — the well-known writer, Mykola Rudenko (founder and leader of the group), pedagogue and professor Oleksa Tykhy, lawyer and publicist Levko Lukyanenko, pedagogue-historian Mykola Matusevych, engineer Myroslav Marynovych. In 1979 the following fell victim to repression:

On July 5, Petro Sichko, a member of the group and formerly a prisoner of Stalinist camps, was arrested. Twenty-three-year-old Vasyl Sichko, a member of the group, was sent to a psychiatric hospital for examination; forty days later he was transferred to a KGB prison. Both, father and son, are charged with "spreading slanderous fabrications that denigrate Soviet state and social order," for their speeches at the grave of the young poet and composer Volodymyr Ivasyuk,[1] who died under suspicious circumstances (according to the official version, V. Ivasyuk hanged himself).

On August 6, Yuriy Lytvyn, a poet and member of the group, was arrested. This is already his fourth arrest on ideological grounds: he was imprisoned for fifteen years, from 1951 to 1977. Two weeks before the most recent arrest, Yu. Lytvyn was taken, completely sober, to a drying-out tank where, having bound him to a bed, they beat him up; they beat him on the stomach . . . [illegible in the copy received] unhealed scars from a recent operation (a stomach ulcer. . . [illegible] a hernia). Although Lytvyn offered no resistance, a case was opened on a charge of "resisting the police."

Vasyl Ovsiyenko, a philologist and pedagogue who was released in 1977 after four years of imprisonment (he had been charged with "anti-Soviet agitation and propaganda"), was sentenced in February of this year to three years of strict-regime camps under a trumped-up charge of "resisting the police."

On March 6 the well-known writer Oles Berdnyk, founding member and the leader of the group, was arrested . . . [illegible] Frequent searches were conducted in Kiev and other cities. Berdnyk was charged with "anti-Soviet agitation and propaganda." At this time he remains in prison under investigation, in complete isolation. This is the second arrest for O. Berdnyk: he had been imprisoned for five years and was rehabilitated in 1955.

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1. Volodymyr Ivasyuk (b. 1949) was Ukraine's most popular young composer of the 70's. He steadfastly refused to write songs in languages other than Ukrainian and songs praising the party, Communism, etc., which are a mandatory part of every Soviet composer's and performer's repertoire. Ivasyuk's songs had a strong influence in the development of national consciousness among the Ukrainian population, especially the young. On May 18, 1977, three weeks after witnesses saw a KGB car pick him up, his body was found hanging from a tree in a forbidden zone outside of Lviv. The body bore signs of torture, the eyes had been plucked out.

Mykhaylo Melnyk, historian, pedagogue, had been persecuted in recent years . . . [illegible] (particularly, he was deprived of the opportunity to work in the field of his specialization and worked as a guard); he committed suicide after a search on March 6-7, which was accompanied by the threat of further, more severe repressions.

On April 23 Yuriy Badzyo was arrested for the second time this year. During the search a handwritten copy of his major historiosophic work, *The Right to Live*, was confiscated . . . [illegible] charges of "anti-Soviet agitation and propaganda."

Unrestricted searches are used to confiscate all unofficial information (notes in one form or another), personal literary works, personal correspondence, and also uncensored literature, *samvydav*[2] and literature published outside the borders of the USSR. They systematically cut off contacts, opportunities for meetings, direct communication and, not infrequently, also correspondence among defenders of rights, among people who are suspected of dissent, their relatives and friends. Along with this, they exhibit an arrogant disregard for human rights and human dignity.

Here's one of many examples. In April of this year, during the search of the apartment of group member Nina Strokata, she and Oksana Meshko, who was there at the time, were subjected also to a personal search — just as in prison — stripped naked, the seams of their clothing inspected inch-by-inch, etc. (In the city of Tarusa, Kaluga Region, where N. Strokata lives under administrative surveillance, deprived of the right to travel outside the boundaries of Tarusa, and from eight in the evening to eight in the morning does not have the right to leave her living quarters . . . [illegible] to unwarranted raids by the police.)

The authorities attempt to discredit defenders of human rights, taking every advantage of disinformation and slander. Thus, they spread rumors about group member O. Ya. Meshko, that she keeps . . . [illegible] trades in valuables, engages in currency transactions.

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[2] Literally, "self-published" literature; in Russian, *samizdat*.

Soon after he became a member of the group, Volodymyr Malynkovych (a doctor-roentgenologist) was beaten on the street and arrested there for fifteen days, charged with "fighting" and "hooliganism." After this, he was released from work for improper conduct.

Instances of the beating of defenders of rights and dissidents by unidentified persons in civilian dress are becoming more frequent and routine. Those beaten are often charged with hooliganism, with resisting the auxiliary civilian patrols or the police.

Public slander is widely practiced by the mass information media. Thus on July 6, the day following the arrest of Petro and Vasyl Sichko, the newspaper *Vilna Ukrayina* (Lviv) belittled them in the article "Let the OUN Lies Die."

The local newspaper called Vasyl Stus, a writer and poet who is in exile in Magadan Region (after five years' imprisonment) — "vicious, a fascist," claiming that he is "ready to butcher, plunder, kill" (July-August, 1978).

The authorities more often consider it better to try Ukrainian dissidents not under the political articles of the Criminal Code, especially Article 61 ("anti-Soviet agitation and propaganda"), but on fabricated charges of common crimes, presenting the defenders of rights as hooligans, speculators, parasites, etc. This campaign is also incorporated into the widespread pre-Olympic purge: asocial elements are being sent out of the country's large cities, especially Kiev.

The escalation of government terror and slander testifies to the aims of the authorities to liquidate the Ukrainian Helsinki Group, to silence and root out completely the movement in defense of rights in Ukraine.

Under these conditions, we state that our position of human rights in Ukraine — an unofficial, independent of the government, monitoring of the implementation of the Helsinki Accords. This activity corresponds to those obligations of the Helsinki Accords. This activity corresponds to those obligations that the Soviet government took upon itself in signing these accords. Therefore, we say to the government of the UkrSSR, the government of the

USSR, the governments of all countries that signed the Helsinki Accords, on the eve of the Madrid conference to review their implementation: the activities of repressive organs of power in Ukraine are causing great harm to the easing of international tensions.

We assure our colleagues in the Helsinki Movement:

No repressions will force us to stop the struggle for upholding elementary, basic human rights, for achieving a true national equality of all peoples who inhabit Ukraine, for transforming her into a truly sovereign state, for . . . [illegible] the laws of the UkrSSR, in accordance with international legal principles and obligations.

We repeat: The provocation will not pass, terror will not pass. The Ukrainian movement in defense of rights will not be suffocated.

We appeal to all public Helsinki groups, we appeal to all defenders of human rights: raise your voices in defense of Ukrainian defenders of human rights, stop those who want to engage in sanitizing practices through a repetition of the year 1972.[3]

MEMBERS OF THE UKRAINIAN PUBLIC GROUP TO PROMOTE THE IMPLEMENTATION OF THE HELSINKI ACCORDS:

October 6, 1979

Oksana MESHKO	*Vasyl STRILTSIV*
Nina STROKATA	*Vasyl STUS*
Iryna SENYK (in exile)	*Volodymyr MALYNKOVYCH*
Ivan KANDYBA	*Vyacheslav CHORNOVIL (in exile)*
Vitaliy KALYNYCHENKO	*Vasyl ROMANYUK (in exile)*

3. On January 12, 1972, the KGB began a wave of arrests of the leading activists of the Ukrainian movement for national and human rights. Arrests of anyone associated with the preparation of samvydav literature, especially of the *Ukrainian Herald*, followed, and, before the year was out, reached into the hundreds.

THE VERDICT[1]

In the name of the Ukrainian Soviet Socialist Republic, the Judicial Collegium for Criminal Cases of the Donetsk Regional Court, composed of:

Presiding Judge	Zinchenko, E.M.
People's Assessors	Neruma, L. E.
	Lukashenko, A. Ya.
With Clerk of the Court	Susidko, N. H.
With the participation of Procurator	Arzhanov, P.S.
And Counsel	Koretsky, A. H. and
	Aleksevnin, F. I.

examined on July 1, 1977, in an open court session in the town of Druzhkivka the case of the charges brought against

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[1] *The document contains the major portion of the text of the court verdict delivered in the case of Mykola Rudenko and Oleksiy Tykhy. In the copy received by the Helsinki Guarantees for Ukraine Committee, a Russian-language of the original document, ellipses enclosed in parentheses were used to indicate that words or phrases were missing. In addition, several entire sections were missing.*

RUDENKO, MYKOLA DANYLOVYCH

born December 19, 1920, a native of the village of Yuriyivka, Oleksandriv District, Voroshylovhrad Region; a Ukrainian; citizen of the USSR; non-party member, expelled from the CPSU in 1974 for serious ideological deviation in his literary activity; secondary education; married for the fourth time; the father of four children; a pensioner; an invalid of the Great Patriotic War; awarded the Order of the Red Star and medals; expelled from the Union of Writers of the USSR in 1975; no previous convictions; resident of the city of Kiev, village of Koncha-Zaspa, Building 1, Apartment 8, for committing crimes falling under Art. 62, Sec. 1, of the CC [Criminal Code of the] UkrSSR and Art. 70, Sec. 1, of the CC of the RSFSR;

TYKHY, OLEKSIY IVANOVYCH

born January 27, 1927; a native and resident of Yizhevka Settlement, Konstantynivka District, Donetsk Region; a Ukrainian; citizen of the USSR; non-party member; has a higher education; single, twice married previously, in 1949 and 1952; the father of two adult children; previously sentenced in 1957 by the Donetsk Regional Court under Art. 54 Sec. 10, CC UkrSSR, to seven years' deprivation of freedom and to five years' deprivation of rights under Art. 29 (a), CC UkrSSR; released from the places of deprivation of freedom on February 15, 1964, after serving his sentence in full; working as a fireman in the Konstantynivka Brigade of the professional fire protection service of the Administration of Internal Affairs of the Donetsk regional executive committee, for committing crimes falling under Art. 62, Sec. 2. and Art. 222, Sec. 1, CC UkrSSR.

The Judicial Collegium has established:

That defendants Rudenko and Tykhy, on the basis of their anti-Soviet nationalistic convictions, for many years systematically prepared, kept and disseminated slanderous anti-Soviet literature and materials, which contain slanderous fabrications denigrating the state and social order, with the aim of undermining and weakening Soviet rule.

Besides this, Rudenko took steps to broaden further his contacts with foreigners from capitalist countries; and especially tried, with hostile intentions, to establish ties with representatives of the US Consulate in Kiev to pass on to the West through them materials against Soviet Ukraine. The defendants conducted anti-Soviet agitation and propaganda also in oral form, spreading slanderous fabrications about the Soviet state and social order. Rudenko and Tykhy obstinately continued their anti-Soviet activities despite a number of warnings from officials about the intolerability of such activity.

The crimes were committed under the following circumstances:

In the first half of the 1960's Rudenko prepared a rough draft of a document dealing with issues of political economics and philosophy; in April 1963 he prepared a so-called essay dealing with issues of political economics, signing it with the pseudonym "N. Fedorov." In January 1972 Rudenko prepared a hostile document in the form of a so-called letter to one of the leaders of the Central Committee of the Communist Party of Ukraine. In these documents he attempted to revise Marxist-Leninist teachings from hostile positions, denigrated Soviet reality, the Soviet people and the practical activity of the CPSU and the Soviet government in the cause of building communism, slanderously affirmed the existence of some kind of "spiritual corrosion" that allegedly had begun to eat away at wide cross-sections of our people. Surreptitiously introducing bourgeois concepts, he practically calls for the restoration of capitalism in our country.

Rudenko kept the first anti-Soviet document in his home with the intention of further dissemination; he reproduced other documents on his typewriter, sending one copy of each to party organs.

At the court session Rudenko testified that he in fact prepared the above-mentioned document and reproduced it on a typewriter. He sent one copy to party organs, keeping some of the typewritten texts of these documents in his home; however, he declared to the court that he did not consider his activities criminal and that he had no intention of undermining and weakening Soviet rule, but, on the contrary, was endeavoring to strengthen it.

But his guilt has been proven completely. An analysis of these documents attests that Rudenko aimed at undermining and weakening Soviet rule. His guilt is confirmed by:

The record of the search of Rudenko's apartment (Vol. 1, case sheet 255-258), the results of a forensic examination on March 30, 1977, according to which the documents were produced by Rudenko (Vol. 29, c.s. 36,142,143), and the material evidence — cited documents discovered during the search (Vol. 19, c.s. 153,201).

In 1972-74 Rudenko produced several versions of a document entitled "The Energy of Progress," the last of which, produced in 1974, is hostile in character and contains fabrications denigrating the Soviet state and social order. In this document Rudenko attempts to diminish the revolutionary conquests of the Soviet people and their vanguard, the Communists.

At that time, in 1974 Rudenko reproduced this document, sent two copies to Moscow to A. D. [Andrey] Sakharov, and V. F. [Valeriy] Turchin, keeping one copy in his home. Besides this, Rudenko acquainted I. O. Kaplun and O. P. Berdnyk with this document.

On May 22, 1974, Rudenko prepared and reproduced on his own typewriter a document entitled "Epilogue," as a forword to his hostile document *The Energy of Progress.* In it he slanderously asserts that Soviet literature is supposedly in a state of stagnation. Defending the so-called dissenters, he indicates that the attitude of our society towards them resembles the attitude of "Catholic churchmen.".

Rudenko admitted this charge in court and explained that in 1974 he had prepared the document *The Energy of Progress* and then reproduced it; he sent two copies in 1974 to Sakharov and Turchin. Kaplun and Berdnyk became acquainted with this work in Kiev. Rudenko testified that in the same year he prepared and reproduced the document "Epilogue" and incorporated it as a foreword to his work *The Energy of Progress.*

Rudenko's guilt is also confirmed by the testimony of witnesses—his wife R. P. [Rayisa] Rudenko, I. O. Kaplun and O. P. Berdnyk—who testified before the court that Rudenko acquainted them with his document *The Energy of Progress.*

R. P. Rudenko also testified that she typed up several copies of this document at the request of her husband.

Guilt is also confirmed by material evidence: the above-mentioned typewritten copies of *The Energy of Progress* and "Epilogue," confiscated from Rudenko during the search of his apartment (Vol. 12, c.s. 1-203; Vol. 10, c.s. 119-124); the findings of the forensic examination on March 30, 1977, according to which the typewritten copies of the documents *The Energy of Progress* and "Epilogue" were typed on Rudenko's typewriter (Vol. 29, c.s. 73, 137-138, 142-143, 148).

In 1973-1975 Rudenko composed some anti-Soviet poems entitled "A Glow Over the Heart," "Black People," "Where Are We?," "A Reply To a Former Friend," "Before the

Start-up of the Kaniv HES"[2] and the so-called "A Farewell to the Party Card," which contain slanderous fabrications that denigrate the Soviet state and social order. During those same years Rudenko personally reproduced the above-mentioned hostile poems on his own typewriter and kept them in his home.

During the court session Rudenko explained that in 1973-75 he created the poems "A Glow Over the Heart," "Black People," "Where Are We?," "A Reply to a Former Friend," "Before the Start-up of the Kaniv HES" and "A Farewell to the Party Card," which he personally reproduced in triplicate. In addition to the defendant's testimony, his guilt is confirmed by the record of the search of Rudenko's apartment on April 18, 1975, and December 23, 1976, (Vol. 1, c.s. 255, 260; Vol. 2, c.s. 6-10), the findings of a forensic examination on March 30, 1977, according to which the above-named documents were typed on Rudenko's typewriter (Vol. 29, c.s. 79, 132, 148), and material evidence—the above-named documents (Vol. 15, c.s. 92-94, 99-102).

In March 1975 Rudenko prepared an anti-Soviet document entitled "A Credo of Unity," in which, coming from a nationalistic position, he promotes malicious, slanderous fabrications that denigrate the Soviet state and social order, that denigrate Soviet democracy, the Communist Party and the Soviet people; in particular he slanders the nationality policies of the CPSU and the Soviet government.

Then in March 1975 Rudenko reproduced this document with the help of his wife. He passed on one typewritten copy of the document "A Credo of Unity" to Berdnyk for his familiarization and the remaining copies Rudenko kept in his home.

This crime is confirmed by Rudenko's testimony that in March 1975 he prepared a document entitled "A Credo of Unity" and reproduced six copies of it. He then passed on one copy of this document to Berdnyk for his familiarization.

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[2] Acronym for "Hydroelectric station."

This is also confirmed by the testimony of witnesses Berdnyk and R. P. Rudenko, who explained to the court that the defendant gave them the document "A Credo of Unity" for their familiarization; Rudenko's wife testified that she retyped this document at her husband's request.

The defendant's guilt is also confirmed by material evidence—six typewritten copies of the document "A Credo of Unity," confiscated from Rudenko during the searches (Vol. 9, c.s. 14, 140).

In April-May 1975 Rudenko prepared an anti-Soviet document in the form of a so-called "Open Letter" to one of the leaders of the CPSU, in which he included malicious, slanderous fabrications that denigrate the Soviet state and social order. At the same time in 1975 Rudenko made copies of the "Open Letter" and disseminated them in the city of Kiev, mailing them to persons whose names and addresses he had obtained from a telephone directory. He sent one such copy to party organs. The text of this document was broadcast to the Soviet Union several times during 1975-76 by hostile radio stations; they were also published in the West in the anti-Soviet nationalistic press, in particular, in an anti-Soviet issue of the journal *Suchasnist*[3] (1975), which is published in Munich (the FRG).

Rudenko added typewritten copies of the so-called "Open Letter" as a component of the five copies of his collection entitled *Can The Sun Be Protected?* He kept one handwritten copy of this document and one copy of the aforementioned collection at his home.

On September 16, 1975, he prepared an anti-Soviet document in the form of a letter to the Science Section of the Central Committee of the CPSU, with copies to the Science Section of the Central Committee of the Communist Party of Ukraine, and to a like-minded individual, Turchin, a resident of the city of Moscow, in which he set out slanderous fabrications that denigrate the Soviet state and social order. In September of the the same year Rudenko

[3] A monthly journal dealing with literature, the arts and social issues in Ukraine and the Ukrainian community in the West.

reproduced this document and then disseminated it; two copies were mailed to party organs and one to Turchin. He kept the remaining copies in his home.

On October 10, 1975, Rudenko prepared and personally reproduced a document in the form of a letter to Sakharov, in which he included slanderous fabrications that denigrate the Soviet state and social order. In the documents he makes an attempt to smear the activity of the Soviet government. He then mailed one typewritten copy of the document to Sakharov, keeping a second copy at his home.

The cited circumstances of the defendant's criminal actions are corroborated by Rudenko's testimony. Thus, Rudenko confirmed in court that in April-May 1975 he composed a document in the form of an "Open Letter" to one of the leaders of the Central Committee of the CPSU, then prepared several copies and mailed them to residents of the city of Kiev and sent one such copy to party organs.

On September 16, 1975, he prepared a document in the form of a letter to the Science Section of the CC CPSU, with copies to the Science Section of the CC CPU and to Turchin, a resident of the city of Moscow. The defendant testified that on October 10, 1975, he prepared and personally reproduced a document in the form of a letter to Sakharov, one copy of which he mailed to the addressee. The defendant's guilt is substantiated by the record of the search during which the aforementioned documents were confiscated (Vol. 1, c.s. 255-270, Vol. 9, c.s. 33-34, 76-77); by materials attached to the case about the fact that Rudenko's document "An Open Letter" was broadcast to the Soviet Union by hostile radio stations on several occasions during 1975-76, and was also published in the West in the September 1975 issue of the anti-Soviet journal *Suchasnist* (Vol. 10, c.s. 104-107, 146-47, 194-97); and also by material evidence—the handwritten and typewritten copies of the above-named documents (Vol. 15, c.s. 152-159; Vol. 18, c.s. 285-288).

In February 1976, while undergoing medical examinations in a Kiev hospital in connection with the processing of his pension, Rudenko prepared a hostile document in the form of a poem entitled "The History of An Illness." In this document he slanders, from hostile positions, the Soviet state and social order, the teachings of Marxism-Leninism, the Soviet electoral system and Soviet reality. He attempts to implant among the people a distrust of the CPSU and the Soviet government. In this same hospital during February-March 1976 Rudenko acquainted Berdnyk with the manuscript of the cited document.

In March 1976 the defendant prepared three typewritten copies. This anti-Soviet document by Rudenko reached the West, where it is being exploited by propaganda hostile to the Soviet Union—the nationalist press disseminates it, in particular the newspaper *Svoboda*[4] (New York, USA), which on December 23, 1976, printed a detailed review with quotations from this document; it is also being broadcast by foreign radio stations, in particular by the Voice of America.

Then, during January-February 1976, while staying in the aforementioned hospital, Rudenko prepared in script a malicious anti-Societ document in the form of a so-called poem [entitled] "The Cross," in which, from hostile nationalist positions, he expressed through the mouths of his characters slanderous fabrications that denigrate the Soviet state and social order, the politics of the CPSU and the collectivization of agriculture. Rudenko attempted to undermine the friendship among the peoples of the USSR.

At the end of the document there is a call to struggle against the existing social order in our country.

After returning from the hospital that same year (1976), Rudenko produced three typewritten copies of the document.

During February—March 1976, while staying at the aforementioned hospital, Rudenko, in conversations with citizens Rusanovska and Zhylkin, spread slanderous fabrications that denigrate the Soviet state and social order, with the same aim in mind.

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[4] Published by the Ukrainian National Association five times a week in a Ukrainian-language edition and in a weekly English edition. Place of publication is Jersey City, New Jersey, not New York. Unclear whether this error was made by the court or by the transcriber of the original document.

At the end of March 1976 he prepared in script a document entitled "The First Row," in which he perpetrates slanderous fabrications that denigrate the Soviet state and social order and defame the Soviet people. He kept the manuscript of this document at his home.

The circumstances, as recounted, are confirmed by the testimony of Rudenko, who explained to the court that he created the poems entitled "The History of An Illness" and "The Cross" and also the document "The First Row"; by the testimony of witness Berdnyk that in 1976 Rudenko acquainted him with the contents of the document "The History of An Illness"; and [by the testimony] of witnesses Rusanovska and Zhylkin at a preliminary hearing, who explained to the court that during February-March 1976, Rudenko, in conversations while in the hospital, spread slanderous fabrications that democratic freedoms are supposedly "infringed upon" in our country.

[This is further supported] by the record of the search, during which the typescript of the so-called peoms "The History of An Illness" and "The Cross" and the document "The First Row" were confiscated (Vol. 1, c.s. 255-65). [Also] by material attached to the case [indicating] that the above-mentioned document by Rudenko was published in the West in 1976 by the nationalistic paper *Svoboda* and then broadcast to the Soviet Union by the hostile radio station Voice of America (Vol. 10, c.s. 137-139, 176-181); and also by material evidence: typewritten copies of the documents "The History of An Illness," "The Cross" and "The First Row" (Vol. 9, c.s. 136, 137, 139-41).

In 1970 Rudenko began to write a so-called novel, *Eagle Ravine*, the final version of which he completed in 1976. In this anti-Soviet document, through the mouths of his characters, he sets forth from hostile bourgeois-nationalistic positions malicious slander against the Soviet state and social order and the internal and foreign policies of the CPSU and the Soviet government. In the document he asserts, in particular, that forced "Russification" is allegedly being conducted in Ukraine. In the summer of 1976 Rudenko reproduced this document on his typewriter in three copies, one of which he kept at his home.

During 1974-76 Rudenko produced an anti-Soviet diatribe entitled "Farewell, Marx!" and "Greetings, Quesnay![5]", which he combined into one hostile document under the general title *Economic Monologues.* In this document, from positions hostile to Soviet society and under the guise of criticism of Marxism, he perpetrated malicious slander against Soviet reality, the Soviet people and the activities of the Soviet government and the CPSU.

The author makes an attempt to revise the teachings of Marxism-Leninism, the practical activity of the CPSU and the Soviet government, and to defame the historical experience of the Soviet people in the building of communism.

In early 1975, with the help of his wife, R. P. Rudenko, Rudenko reproduced this work and disseminated it; he sent it to Sakharov, Turchin and [Andrey] Tverdokhlyebov for their familiarization. He acquainted his son, A. M. Rudenko, with this document.

Then Rudenko photographed the final version of the document *Economic Monologues* and disseminated the film: he sent one copy each to Grigorenko and [Yuriy] Orlov for their familiarization and in 1974 in his home acquainted Berdnyk with the work.

The anti-Soviet document *Economic Monologues* reached the West and is being used there in subversive actions against the Soviet Union. In particular, on November 26, 1976, the nationalistic paper *Svoboda* (New York, USA) published a review of this document and reported that the full text of the work would be printed by Suchasnist Publishers. The hostile anti-Soviet Liberty radio station on more than one occasion broadcast programs about this hostile document.

In August 1976 Rudenko received from Grigorenko the manuscript of his anti-Soviet document entitled "Foreword," in which he sets forth from hostile positions malicious

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5. Francois Quesnay (1694-1774), French economist and founder of the Physiocratic school of economic theory. Had a profound influence on Adam Smith.

slander against the Soviet state and social order, the teachings of Marxism-Leninism, the practice of building socialism in the USSR and other countries. Then, in August 1976, from this manuscript Rudenko produced several copies on his typewriter at home, some of which he gave to Grigorenko; he also acquainted [with this document] persons in the city of Moscow, whom he refused to name; one copy he attached as a foreword to his document ***Economic*** *Monologues* and the rest he kept at his home.

Rudenko acquainted Berdnyk with a copy of "Foreword" in his apartment in January 1977. This copy, together with *Economic Monologues*, was confiscated during a search at Rudenko's.

The above-mentioned anti-Soviet document, "Foreword," reached the West and is being used there in hostile actions against the Soviet Union; in particular, it was printed on the pages of the January 1977 issue of the nationalistic journal *Suchasnist*. The foreign anti-Soviet [Radio] Liberty radio station presented several programs dealing with this document.

The guilt of the defendant Rudenko in the indicated crimes is confirmed:

By his testimony in the judicial proceeding, material evidence and copies of the typewritten documents "Eagle Ravine," "Farewell, Marx" and "Greetings, Quesnay!," *Economic Monologues* and "Foreword," which were confiscated during a search in Rudenko's apartment (Vol. 20, c.s. 1-303; Vol. 21, c.s. 1-263; Vol. 13, c.s. 1-138; Vol. 17, c.s. 1-142; Vol. 22, c.s. 27-173, 177-315; Vol. 23, c.s. 38, 64-207).

By records of the searches at the apartments of Moscow residents Turchin and Orlov and records of the examination of the documents confiscated during these searches—*Economic Monologues*, "Farewell, Marx" and "Greetings, Quesnay!" (Vol. 37, c.s. 59-60; Vol. 60, c.s. 75-76, 86, 90-91).

By materials appended to the case [indicating] that the documents *Economic Monologues* and "Foreword" were broadcast to the Soviet Union on several occasions during 1976—77 by the hostile American radio station Liberty and that, also in 1976, a "review" of this document by Rudenko appeared in the West in the nationalistic paper *Svoboda*, which reported that the text of Rudenko's document *Economic Monologues* would soon appear in print in the foreign hostile journal *Suchasnist*. In the January 1977 issue of this journal the document "Foreword" was published [illegible in original]. . . guilt is substantiated also by the testimony of witnesses R. P. Rudenko and Berdnyk. R. P. Rudenko explained to the court that at the request of her husband, Rudenko, she typed out his documents entitled *Economic Monologues* and witness Berdnyk explained that Rudenko acquainted him with the document *Economic Monologues* in his home.

The results of forensic examinations of March 30 and April 18, 1977, according to which the typewritten texts of the documents "Farewell, Marx," "Greetings, Quesnay!" and "Foreword," confiscated from defendant Rudenko and also from Turchin and Orlov, were typed on Rudenko's typewriter.

17. From April to October 1976 Rudenko prepared a document entitled "Gnosis and the Present," in which he came forth with slanderous fabrications that denigrate the Soviet state and social order. In particular, in this document he attempts to revise Marxist-Leninist teachings, slanderously asserting that a totalitarian regime allegedly exists in the Soviet Union, which, he says, destroys people for their "convictions," etc. At that time, in 1976, Rudenko reproduced it on his typewriter for dissemination. He kept the typed copies at his home.

18. On October 14, 1976, Rudenko prepared a hostile document entitled "You Don't Want To Be A Scoundrel—To Prison With You!," in which, defending Kovtunenko, arrested by the organs of the Kiev procuracy for criminal offenses, he committed malicious slander against the Soviet state and social order. He defamed Soviet reality—calling Ukraine "long-suffering"— and the policies of the government, as the result of which allegedly a famine had been created artificially in Ukraine in 1933 for the purpose of destroying "every fourth" Ukrainian.

In October 1976, in order to disseminate it widely and transmit it abroad, Rudenko made twenty copies of this document, some of which he took to Moscow, where he gave one copy each, for their familiarization, to Grigorenko, Turchin, Ginzburg, Orlov, Alekseyeva and Velikanova, and distributed the rest, with supplements, outside the puppet theatre among foreign correspondents and other people unknown to him. Rudenko kept one typescript copy of the above-mentioned document at his home. The text of this hostile document by Rudenko, which turned up abroad, is being used in subversive actions against the Soviet Union; it has been broadcast to the USSR on several occasions by hostile foreign radio stations and was also published in the West in the anti-Soviet nationalistic press, in particular on December 16, 1976, in the paper *Ukrayinske Slovo* (Paris, France).

The outlined circumstances of defendant Rudenko's criminal actions are supported:

By his testimony in court that during [the period] April-October 1976 he wrote the document "Gnosis and the Present" and reproduced it on his typewriter and also prepared the document "You Don't Want To Be A Scoundrel—To Prison With You!," which he took to Moscow, giving a copy each to Grigorenko, Turchin, Orlov, Ginzburg, Velikanova and Alekseyeva, for their familiarization, distributing the rest among foreign correspondents.

By material evidence—the manuscript "Gnosis and the Present" and a typescript copy of the work "You Don't Wan't To Be A Scoundrel—To Prison With You!," confiscated during searches of the apartments of Rudenko, Ginzburg, Orlov, Alekseyeva (. . .).

By the conclusions of forensic examinations on March 30 and April 18, 1977, according to which the typewritten texts of the above-mentioned documents, confiscated from the apartments of Rudenko, Ginzburg, Orlov and Alekseyeva, were typed on Rudenko's "Continental" typewriter, No. 403152, and the signatures on these copies were made by Rudenko (. . .).

Also by the materials appended to the case [indicating] that Rudenko's document "You Don't Want To Be a Scoundrel—To Prison With You!" was published in foreign bourgeois nationalist newspapers *Svoboda* (Munich, the FRG)[6] on December 16, 1976, and *Ukrayinske Slovo* (Paris, France) on December 19, 1976, while the text of this document was broadcast to the Soviet Union on several occasions by hostile foreign radio stations (. . .).

19. On November 14, 1976, Rudenko prepared a hostile document entitled "To People Of Good Will," in which, from anti-Soviet nationalistic positions, he slandered the Soviet regime and social order, the CPSU and the Soviet government. In particular, hiding his anti-Soviet activity under the guise of "a fight for human rights," in this document he defames the nationality policies of the CPSU and the Soviet government, slanderously asserts that forced "Russification" is allegedly being implemented in Ukraine and that an alleged "great-power chauvinism" allegedly exists in our country.

Rudenko produced eleven copies of this document on a typewriter in his home, attached to each one copy of a photograph prepared by him—on which is depicted a pile of rocks on a backdrop of classical works on Marxism-Leninism, with his cynical caption "Rocks Instead of Bread"— and disseminated them. In his apartment in November 1976 he acquainted Berdnyk and Meshko with the document and at that time passed on a copy for Matusevych and Marynovych for their familiarization. Rudenko took a number of copies of this document with him to Moscow, where he disseminated them, passed them on, together with the aforementioned attachment (the photograph), to Orlov, Grigorenko, Turchin, Ginzburg and other individuals, for their familiarization.

20. On December 28, 1976, Rudenko prepared a document in the form of a letter to the organs of the procuracy of the city of Moscow and the city of Kiev, in which he came out with slanderous fabrications that denigrate the Soviet state and social order. In this document the defendant complains that in our country there seems to be lawlessness,

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[6] *Svoboda* (Liberty) is published in Jersey City, New Jersey; *Radio* Liberty broadcasts from Munich. Unclear whether the error was made in the original document or in the transcription.

chauvinism, a mockery of socialist legality, and that trampling of human rights and Ukraine's sovereignty by the organs of law enforcement and justice occur. Then Rudenko reproduced this slanderous document: he sent two copies to the organs of the procuracy of the city of Moscow and the city of Kiev; he gave the rest of the copies to Matusevych, Marynovych and Meshko for their familiarization, and acquainted Berdnyk with the document in his own apartment.

The guilt of defendant Rudenko in the circumstances outlined is corroborated by the following evidence:

By the testimony of defendant Rudenko, who explained to the court that on November 14, 1976, he prepared, reproduced and disseminated the document "To People Of Good Will," acquainted Berdnyk and Meshko with it in his own home and handed one copy each to Matusevych, Marynovych, Orlov, Grigorenko, Turchin and Ginzburg for their familiarization. Besides this, on December 28, 1976, he prepared a letter to the organs of the procuracy of the cities of Moscow and Kiev, reproduced this document and acquainted Matusevych, Marynovych, Meshko and Berdnyk with it.

By the testimony of the witness Berdnyk, who explained to the court that Rudenko acquainted him with the document "To People of Good Will" (. . .); by material evidence: manuscripts of the documents, typewritten copies of the letter to the organs of the procuracy of the cities of Moscow and Kiev, confiscated during a search of the apartment of Rudenko and Meshko (. . .).

By the record of the search on January 4, 1977, during which three copies of Rudenko's document "To People Of Good Will" were confiscated from Orlov's apartment in the city of Moscow. (. . .).

By the results of forensic examinations, according to which the typewritten copies of the documents confiscated from Rudenko and Orlov were typed on Rudenko's typewriter.

Defendant Rudenko, committing ideological sabotage with the aim of undermining and weakening Soviet rule, received slanderous anti-Soviet documents from degenerates and renegades, which he utilized in his anti-Soviet activity.

21. Thus, at various times during [the period] 1972-1976 he received in the city of Kiev a series of hostile documents from Berdnyk, in which slanderous fabrications are brought forth that denigrate the socialist way of life and the Soviet state and social order; he kept these at his home. Among them were: typewritten documents entitled "An Open Letter," dated April 30, 1977, addressed to the Committee for State Security of the Council of Ministers of the UkrSSR and party organs; "An Open Letter," dated March 17, 1978, and addressed to the leaders of the CPSU and the Soviet government; and "An Open Letter" to party organs. These documents contain malicious fabrications about the activity of state organs, about Soviet reality. In particular, they assert that despotism, chauvinism and cynicism, disbelief and criminality and an omnivorous bureaucratization of life exist in our country. The same for documents titled "An Open Friendly Epistle" in the form of a letter by Berdnyk to the Sixth Congress of Writers of the USSR, poems and prose under the general title *Sacred Ukraine.* These documents contain malicious, slanderous fabrications that denigrate the Soviet state and social order, fabrications about the situation of Ukraine in the body of brotherly republics and Soviet reality, and call for the creation of an independent Ukraine through armed struggle.

22. In addition, Rudenko kept a document, prepared by Berdnyk on December 26, 1976, and signed by him, Matusevych and Marynovych, in the form of a statement to the Procurator General of the USSR and to an American so-called "Committee" and "Group to Promote," which contains fabrications that denigrate the Soviet state and social order. Especially, it is slanderously asserted in them that the Constitution of the USSR and fundamental human rights are allegedly violated in the USSR.

To all these cited instances of criminal actions defendant Rudenko explained that during [the period] 1972-1977 he received from Berdnyk the above-mentioned typewritten documents prepared by Berdnyk and kept them in his home.

Rudenko's guilt in receiving the above-listed hostile documents from Berdnyk and keeping them is confirmed by the testimony of witness Berdnyk, who explained to the court that he gave Rudenko the above-listed documents for his familiarization. Rudenko's guilt is also confirmed by the records of searches in Rudenko's apartment on December 23, 1976, and February 5, 1977, during which Berdnyk's documents, listed above, were confiscated, and also by the record of an examination of these documents (. . .).

By material evidence (Berdnyk's documents, listed above, which were confiscated during a search at Rudenko's home) (. . .).

23. In early summer 1976 Rudenko received from a person whom he did not name a handwritten document in the form of a letter, dated January 30, from Kovhar,[7] who had been certified mentally ill, to a "Citizen Investigator." It contains slanderous fabrications that denigrate the Soviet state and social order. Rudenko produced several copies of this document on a typewriter, for the purpose of using it in his anti-Soviet activity, and also photographed Kovhar's manuscript with his own Zenit-E camera and produced a film from it. Rudenko used this letter in "Memorandum No. 1," an anti-Soviet document prepared by him.

24. Throughout 1976 Rudenko received by mail, from persons he did not name for the court, a series of slanderous anti-Soviet documents that denigrate the Soviet state and social order. With the aim of making further use of them in his criminal anti-Soviet activity, he kept them in his apartment up to the day of their confiscation. They included:

A handwritten document, author unknown, in the form of an "appeal" to the Ukrainian section of the foreign radio station Voice of America in which from hostile nationalistic

[7] The letter mentioned was actually written Feb. 1, 1972. It was an open letter addressed to a KGB investigator in Kiev, in which Borys Kovhar revealed how he had been recruited to spy and inform on people active in the Ukrainian cultural rebirth. Approximately six weeks later Kovhar was arrested; in Sept. 1972 a Kiev court examined his case without Kovhar's participation and determined that he be incarcerated in the Dnipropetrovsk Special psychiatric hospital.

positions, slurs are cast upon Soviet reality, the CPSU and the Soviet government. It is slanderously asserted that the populace in Ukraine allegedly suffers constant material shortages and persecution.

A handwritten document in the form of notes about the so-called Ukrainian National Front.[8] It is asserted there that the Ukrainian people are supposedly deprived of the right to express freely their aspirations and convictions.

An anti-Soviet handwritten document entitled "A Chronicle of Resistance" by Moroz, who has been sentenced for hostile activity, which contains slander against the nationality policy of the Soviet state.

Five exposed photographic films, on which is photographed the typewritten text of Dzyuba's anti-Soviet document entitled *Internationalism or Russification?*, which is a malicious diatribe on Soviet reality, the nationality policies and the practice of communist construction in the USSR, aimed at undermining the friendship and brotherhood of Soviet peoples and against the principles of proletarian internationalism. An anti-Soviet book entitled *Ukrainian Intelligentsia On Trial By the KGB*, published abroad in 1970 by Suchasnist Publishers. He also kept in his possession the 41st issue of the illegal hostile collection entitled *A Chronicle of Current Events*, dated August 1976, which contains slanderous fabrications that denigrate the Soviet state and social order and Soviet justice.

This charge found its confirmation at the court proceedings in:

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8. The Ukrainian National Front was organized in Ivano-Frankivsk in 1964 with the goal of promoting Ukrainian independence. It published a samvydav journal, *Batkivshchyna i svoboda* (Fatherland and Freedom). Nine members were put on trial in 1967 and sentenced.

Rudenko's testimony that in 1976 he received from certain people the above-listed documents and kept them in his apartment until the day of their confiscation. He made use of Kovhar's letter in the preparation of "Memorandum No. 1."

Material evidence: two typewritten copies of Kovhar's letter to a "Citizen Investigator," the above-listed typewritten and handwritten documents, and five exposed photographic films with frames containing the typewritten text of the document *Internationalism or Russification?*, confiscated from Rudenko during a search of his apartment (. . .).

The findings of a forensic examination on March 31, 1977, according to which copies of the typed document were typed on a "Continental" typewriter belonging to defendant Rudenko (. . .).

Also the confiscated document "Memorandum No. 1," in which, in particular, Kovhar is discussed (. . .).

25. In 1976 Rudenko received by mail from a person he did not name in court the manuscript of an anti-Soviet document by an unknown author, which begins with the words "Fedorenko, Vasyl." In this document malicious fabrications are presented from hostile nationalist positions, fabrications that denigrate the Soviet state and social order. At that time, in 1976, Rudenko reproduced this hostile document on his own typewriter for dissemination and use in his anti-Soviet activity. Rudenko used it in preparing "Memorandum No. 1."

26. In this same year defendant Rudenko received an anti-Soviet document that begins with the words "On November 17, 1975, Prykhodko," and, for the purpose of dissemination, reproduced it on his typewriter and then utilized this document in the preparation of the so-called "Memorandum No. 1." At the same time he received and reproduced an anti-Soviet document that begins with the words "Hryhoriy Hryhorovych Prokopovych," which contains malicious fabrications about the Soviet state and social order, the nationality policy in our country, and praises the activity of a person, a member of the

Organization of Ukrainian Nationalists,[9] who on several occasions was brought to criminal justice for anti-Soviet activity.

27. Towards the end of June 1976 Rudenko received from O. Ya. Meshko a manuscript document entitled "An Open Letter," whose contents denigrate the Soviet state and social order.

During the court session defendant Rudenko explained that in 1976 he received from persons he did not know the manuscript of a document that began with the words "Fedorenko, Vasyl" and "On November 17, 1975, Prykhodko," reproduced these documents and used them in the preparation of "Memorandum No. 1," but the document that begins with the words "Hryhoriy Hryhorovych Prokopovych" he only reproduced and kept at his home until its confiscation during search. Besides this, Rudenko's guilt is confirmed by material evidence: typewritten copies of the above-mentioned documents, confiscated during the search of his apartment (. . .), also by the findings of a forensic examination, according to which the typewritten texts of the documents mentioned were typed on Rudenko's typewriter.

28. In November 1976 Rudenko, while in Moscow, received from Turchin two films of the photographed typewritten text of his [Turchin's] anti-Soviet document entitled "The Inertia of Fear," which contains malicious, slanderous fabrications that denigrate the Soviet state and social order.

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[9] The Organization of Ukrainian Nationalists was founded in 1929 in response to the Polish occupation of Western Ukraine; it soon grew into a militant, revolutionary organization, dedicated to the ideal of Ukraine's independence. During World War II the OUN organized resistance to both German and Soviet forces, playing the major role in formation of the Ukrainian Insurgent Army (the UPA).

Rudenko brought the above-mentioned photographic films to Kiev and, with the help of Matusevych and Marynovych, *reproduced a third of this document photographically.*

29. In November 1976 Rudenko, while in Moscow, received an anti-Soviet document from Orlov for use in his hostile activity, a document entitled "An Appraisal of the Influence of the Conference on Security and Cooperation in Europe in the Section Pertaining to Human Rights in the USSR" and prepared in the name of Orlov, Ginzburg, Shcharansky and other persons. In this document the authors denigrate Soviet reality, the democratic foundations of our society, the foreign and internal policies of our state. At that time Rudenko also received another document from Orlov entitled "Concerning the Formation of the Public Group to Promote the Implementation of the Helsinki Accords in the USSR," prepared in the name of Orlov, Ginzburg, Shcharansky and other persons. The document speaks, in particular, of the necessity of gathering information about alleged manifestations of "anti-humanism" present in the Soviet Union; in addition, the defendant received from Orlov a document entitled "Concerning the Formation of the Lithuanian Group to Promote the Implementation of the Helsinki Accords," prepared in the name of Venclova, Finkelshtein and other persons, and which contains slanderous assertions that Soviet power in Lithuania was allegedly established not as the result of an expression of the will of the Lithuanian people, but as "the result of the introduction of Soviet troops onto its territory."

Rudenko then acquainted Berdnyk and Meshko with this document at his home.

30. On December 19, 1976, Rudenko received from Terelya, a resident of Vinnytsya Region who is mentally ill, the manuscript of his slanderous document that begins with the words "Transcarpathian Region, Mizhhirsky District." This document contains slanderous fabrications that denigrate the Soviet state and social order and Soviet reality. It attempts to denigrate the activity of the Soviet government. In January 1977 the defendant used this document in the preparation of "Memorandum No. 1."

31. Besides this, during December 1976 and January 1977 he received from Barladyanu, a resident of the city of Odessa, two handwritten, hostile documents, identical in content, in the form of a "Statement" and addressed to the procurator of Odessa Region, which contain slanderous fabrications that denigrate the activities of the organs of authority and justice. An attempt is made to denigrate the policies of our country on the nationality issue. Rudenko used one of these documents in the preparation of his so-called statement in "defense" of Barladyanu and kept it in his home until the day of the search. He gave Meshko a second copy for her familiarization and safekeeping; this document was confiscated from her during a search.

32. During [the period] December 1976-February 1977 Rudenko received from Barladyanu two more documents, identical in content, entitled "To People of Good Will." The defendant gave one of them to Berdnyk for his familiarization and to transmit abroad to the USA through Grigorenko or Ginzburg; this document, however, was confiscated from Berdnyk during a search.

33. During [the period] December 1976-January 1977 the defendant received from L. M. [Leonid] Siry and V. L. Sira, residents of the city of Odessa, a series of hostile handwritten documents in the form of their "statements" and "appeals" to various Soviet organizations and governments of foreign countries, in particular, an appeal to the governments of the USA, Canada, Australia, the FRG and France.

These documents contain slanderous fabrications that denigrate the Soviet state and social order and, in particular, a total slander on Soviet reality, the organs of justice, the policies of the CPSU and the Soviet government concerning the nationality issue. Rudenko disseminated some of these documents, giving them for familiarization and safekeeping to Meshko, from whom they were confiscated during a search.

The outlined circumstances of the criminal actions of defendant Rudenko are confirmed by Rudenko's own testimony, who explained to the court that in November 1976 he received from Turchin two photographic films of the photographed typewritten text of "The Inertia of Fear," brought them to Kiev and, with the help of Marynovych and Matusevych, reproduced them photographically; from Orlov he received the above-mentioned document, brought it to Kiev and acquainted Berdnyk and Meshko with it. The defendant also admitted that he received a handwritten document from Terelya, which he used in the preparation of "Memorandum No. 3"; that he received manuscripts from Barladyanu, passed [one] on to Meshko for familiarization and safekeeping, and the other to Berdnyk to acquaint himself with it and to pass it on abroad through Grigorenko or Ginzburg; that he received several documents from Siry and Sira, which he gave to Meshko for familiarization and safekeeping.

In addition to the defendant's testimony, his guilt is confirmed by material evidence: photographic prints of Turchin's document "The Inertia of Fear," which were confiscated during a search at Matusevych's apartment, and the documents enumerated above, which were confiscated during searches in the apartments of Rudenko, Meshko and Berdnyk; by an examination during the judicial proceeding of the document "Memorandum No. 3," in which there is mention of Terelya (. . .); by the testimony of witness Barladyanu during the preliminary investigation that he gave Rudenko, for his familiarization, copies of his declaration to the procurator and his manuscript of "To People of Good Will" (. . .).

34. On December 19, 1976, Rudenko received from Svitlychna the manuscript of her anti-Soviet document in the form of a letter to the so-called Ukrainian Group to Promote and to party organs. This document contains malicious slander against the Soviet state and social order. In particular, it asserts that "a social devaluation of human dignity" allegedly exists in our country. Rudenko received a copy of this document from Marynovych. Then in January 1977 Rudenko gave this document for familiarization and safekeeping to Meshko, where it was confiscated during a search.

35. In early November 1976 Rudenko received from a person he did not name a handwritten anti-Soviet document

in the form of a so-called "Open Letter to the Shah of Shahs of Iran" on behalf of eleven persons who are serving sentences for anti-Soviet activity. Rudenko reproduced this document for further dissemination, in particular, so that Berdnyk, Meshko, Matusevych and Marynovych might become acquainted with it. This document contains malicious slander against the foreign and internal policies of the Soviet Union, aimed at undermining the neighborly relations between Iran and the USSR.

36. In the second half of December 1976 Rudenko received from a person he did not name a copy of the so-called "Bulletin of the Council of Relatives of Evangelical Christian-Baptist Prisoners in the USSR," No. 37, 1976, which contains slanderous fabrications that denigrate the Soviet state and social order. These documents were aimed at kindling a religious psychosis among believers and compromising Soviet legislation on religious cults. Rudenko kept these documents at his home until their confiscation during the search.

This charge was supported during the judicial proceeding by Rudenko's own testimony, as well as by other evidence. Thus, Rudenko testified that in December 1976 he received from Svitlychna, and later from Marynovych, the manuscript of her letter to the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords and to party organs, also receiving from Marynovych Barladyanu's manuscript "And How Could It Be Otherwise?" which he kept at his home for several days and then gave to Meshko for her familiarization; he also received from a person he did not know the manuscript of a document in the form of an open letter "To His Majesty the Shah of Shahs of Iran."

As the defendant explained, he reproduced this document on a typewriter, giving the manuscript to Berdnyk for his familiarization and further dissemination abroad in the West, and also received from an unknown person identical copies of the document "The Bulletin of the Council of Relatives. . ."

Rudenko's guilt is further supported by material evidence: by Svitlychna's manuscript, confiscated during searches at the apartments of Berdnyk and Meshko; by the manuscript of Barladyanu's document, confiscated from Meshko; by the manuscript of the document "To His Majesty the Shah of Shahs of Iran," confiscated during a search at Berdnyk's apartment; and by two copies of the so-called "Bulletin of the Council of Relatives. . .," confiscated at Rudenko's home.

By the testimony of witnesses Svitlychna and Berdnyk, and, at the preliminary hearing, of the witness Barladyanu.

Witness Svitychna explained to the court that she gave [a copy of her letter] to Rudenko and also to one of the members of the group, for their familiarization (. . .). Witness Berdnyk testified that he acquainted himself with the document mentioned. During the preliminary investigation witness Barladyanu confirmed that he is the author of the document "And How Could It Be Otherwise?," which, after preparing it, he sent by mail to the city of Kiev for Rudenko (. . .).

A forensic criminal examination on March 30, 1977, established that the typewritten copies of the document mentioned were typed on defendant Rudenko's Continental typewriter (. . .).

37. Despite repeated warnings from officials regarding the intolerability of hostile activity, defendant Rudenko began to seek more active forms of struggle against Soviet rule, with the intention of undermining and weakening it.

On November 11, 1976, during a stay in Moscow, he prepared and signed, together with Grigorenko, a mentally ill person, a "Notice" of the formation of the so-called Ukrainian Public Group to Promote the Implementation of the Helsinki Accords. That same day, in Ginzburg's apartment in Moscow, Rudenko handed the text of this "Notice" to Berdn Nilsen-Schtokkby, a correspondent for West German television; by November 17, 1976, the nationalistic paper *Svoboda* (New York, USA) carried on its pages a report on the above-mentioned Group to Promote, formed by Rudenko.

38. During this period Rudenko, on his personal behalf and on behalf of those of one mind with him, prepared, reproduced and disseminated documents hostile to Soviet society: the so-called "Declaration" and "Memorandum No. 1," which contain malicious, slanderous fabrications that

denigrate the Soviet state and social order.

In the so-called "Declaration" it is groundlessly asserted that the Universal Declaration of Human Rights is allegedly being violated in Ukraine and that there supposedly exists an ever-growing bureaucratization of government life, etc.

In the anti-Soviet document entitled "Memorandum No. 1" it is asserted from bourgeois-nationalist positions hostile to Soviet society that repressions against fighters for civil rights are being perpetrated in the Soviet Union. The idea of the separation of Ukraine from the Soviet Union lingers throughout the document, an attempt is made to justify anti-Soviet propaganda and to accuse the Soviet Union of violating human rights and the rights of nations to self-determination.

39. During [the period] November-December 1976 Rudenko reproduced on his typewriter fifteen copies of the "Declaration" and twenty copies of "Memorandum No. 1." In addition, he then personally photographed both of these documents seven times with his own camera and developed three films. Rudenko widely disseminated the aforementioned documents throughout Kiev and beyond the city limits. In his home he acquainted Berdnyk, Meshko, Matusevych and Marynovych with the "Declaration" and "Memorandum No. 1," discussing these documents with them. All present signed the "Declaration" and "Memorandum No. 1."

40. In the second half of November 1976, in the city of Chernihiv, Rudenko personally acquainted Lukyanenko and Tykhy with these documents, who also signed them. Then Tykhy gave Rudenko the typewritten text of his statement to the procurator of the UkrSSR, concerning his allegedly groundless conviction in 1957 and the allegedly illegal search of his living quarters in the summer of 1976, and proposed that Rudenko use this statement in the final preparation of the anti-Soviet document "Memorandum No. 1." In December 1976 in his home he [Rudenko] acquainted Barladyanu with "Memorandum No. 1." Rudenko passed on one film, on which the "Declaration" and "Memorandum No. 1" were photographed, to Marynovych and Matusevych for dissemination and safekeeping; Rudenko took two other films with the texts of the above-mentioned documents to the city of Komunarsk in Voroshylovhrad Region, where he

intended to hand over one of them to Tykhy, whom he had contacted by phone, for safekeeping. However, for reasons beyond Rudenko's control, the plan was not realized—during a search in Komunarsk on December 25, 1976, both films were confiscated from him. Besides this, in November 1976 Rudenko, through Meshko, acquainted Kandyba, a resident of Lviv Region, with the "Declaration" and "Memorandum No. 1"; Meshko then left a copy of the "Declaration" with Kandyba. Of the documents prepared and reproduced by him, Rudenko kept in his home, for the same purpose, the manuscript and five written copies of the "Declaration," the manuscript and six typewritten copies of "Memorandum No. 1," and also films. All this was confiscated from him during searches.

41. In December 1976 Rudenko gave Berdnyk several copies of the "Declaration" and "Memorandum No. 1" and instructed him to disseminate these documents—to take them to Moscow and hand them over to Grigorenko and Strokata for their familiarization and signature and also for familiarization by other persons from his circle of like-minded acquaintances and for further dissemination abroad in the West through the embassies of the USA, Canada, Italy and other capitalistic countries. In accordance with Rudenko's commission, Berdnyk acquainted Grigorenko and Strokata with the "Declaration" and "Memorandum No. 1" (who then signed these documents), as well as Ginzburg and Alekseyeva. One copy each of the "Declaration" and "Memorandum No. 1" was left with Strokata and with Alekseyeva. In accordance with Rudenko's commission Berdnyk handed the other copies to Ginzburg for further dissemination in the West through the USA embassy in Moscow.

The "Declaration" and "Memorandum No. 1," prepared by Rudenko and passed on abroad to the West, gained widespread distribution there; they are being actively exploited by nationalistic leaders in the foreign bourgeois press and in the anti-Soviet broadcasts of Western radio stations to blacken socialism and socialist democracy before the world community.

The guilt of defendant Rudenko in the outlined circumstances of criminal actions is supported by the following evidence:

By Rudenko's testimony at the court session, at which he explained that in November 1976, while in Moscow, he prepared with Grigorenko a "Notice of the Formation of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords," and then in Ginzburg's apartment handed this document over to a correspondent of West German television for his familiarization. Upon returning to Kiev he prepared the documents entitled "Declaration" and "Memorandum No. 1," with which he acquainted Berdnyk, Meshko, Matusevych and Marynovych, Lukyanenko, Tykhy and Barladyanu. In the final version of these documents the defendant used the text of Tykhy's statement and, as the defendant later testified, gave a film of the texts of these documents to Marynovych, Matusevych and Meshko. Berdnyk, at Rudenko's commission, took the documents to Moscow for dissemination and safekeeping and gave them to Grigorenko and Strokata for their familiarization and signatures and also for further dissemination abroad in the West.

By material evidence: the manuscripts and typewritten copies of the documents "Declaration" and "Memorandum No. 1"; photographic films with the texts of these documents photographed on them; a typescript of the so-called "Notice"; the manuscript and typewritten texts of the above-mentioned documents, which the defendant used in the preparation of "Memorandum No. 1"; all of which were confiscated during the searches of the apartments of Rudenko, Lukyanenko, Meshko, Matusevych and Kandyba.

By the results of forensic criminal examinations, according to which the handwritten texts of "Declaration" and "Memorandum No. 1" were written by defendant Rudenko, the typewritten texts of these documents were typed on Rudenko's typewriter, and the aforementioned films were taken with his Zenit-E camera.

By the testimony in court of witness Berdnyk that [illegible in copy received] of the documents "Declaration" and Memorandum No. 1."

By the testimony of witness Lukyanenko that Rudenko acquainted him and Tykhy with the "Declaration" and "Memorandum No. 1." He discussed these documents with Rudenko and then signed them, together with Tykhy.

By the testimony of witness Kandyba that Meshko visited him and acquainted him with the "Declaration" and "Memorandum No. 1" and left behind a copy of the "Declaration," which was confiscated during a search at his home.

By the record of searches of the apartments of Alekseyeva and Strokata, where typewritten copies of the "Declaration" and "Memorandum No. 1" were confiscated, and also the record of the examination of these documents (. . .).

By materials attached to the criminal case, which corroborate that the documents "Declaration" and "Memorandum No. 1" reached the West and were widely disseminated there during 1976-77—on a number of occasions the hostile radio stations [Radio] Liberty, the Voice of America and others broadcast their contents to the Soviet Union; they were made use of in the West by the nationalistic paper *Svoboda*—and then attached to the criminal case typewritten copies of his documents "Declaration" and "Memorandum No. 1" in English, which were sent by mail from the USA to Kiev (. . .).

42. Defendant Rudenko, intensifying his anti-Soviet activity, stepped on the road of direct appeals to nationalists abroad, who, having announced the formation of a so-called Washington Committee to Secure Helsinki Guarantees in Ukraine,[10] and hiding their real face behind the mask of "fighters for human rights in the UkrSSR," engage in hostile activities in the West aimed at undermining and weakening the established socio-political system in our country and the authority of the USSR on the international scene.

Thus, on November 21, 1976, Rudenko received a telephone call from Bohdan Yasen in Washington, who identified himself as the secretary of the above-named

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[10] Reference is to the Helsinki Guarantees for Ukraine Committee, based in Washington.

"committee." In answer to his questions the defendant divulged information that denigrates the Soviet state and social order. In particular, Rudenko slanderously asserted that in the Soviet Union there allegedly exist concentration camps with those sentenced for crimes especially dangerous to the state, [where] they allegedly are being kept on inordinately severe regimens in terrible conditions and on bad food.

Some of these hostile fabrications by Rudenko were used by the nationalist leaders abroad in activity hostile to the Soviet Union; they were circulated in the press, for example, on December 9, 1976, on the pages of the nationalist paper *Svoboda* (New York, USA).

The text of the aforementioned slanderous fabrications, relayed by Rudenko during his telephone conversation with Yasen, was also printed in full in an English translation in January 1977 in the USA in the so-called "Report NO. 1" by the Washington Committee and widely circulated in the West.

43. On December 21, 1976, Rudenko wrote a letter to Bohdan Yasen, in which he expressed his gratitude for the "moral support" on the part of "Ukrainians of America," and notified him of his wish to establish contact with the American Consulate in Kiev for the purpose of passing to the West documents containing information about violation of human rights allegedly existing in Ukraine. The defendant asked Yasen to help in establishing contact with the above-named consulate.. He mentioned that he was sending Yasen several letters (Svitlychna's, [Ivan] Hel's, a letter from eleven political prisoners to the Shah of Shahs of Iran, the letter from [Petro] Ruban's wife) . . . and also "tragic pages from the 'Bulletin of Evangelical Christian Baptists. . .' " To his letter to Bohdan Yasen Rudenko attached the materials he had listed.

And then, still in December 1976, Rudenko handed over the aforementioned materials—the letter to Yasen and the attached anti-Soviet and ideologically harmful materials—to Berdnyk for him to acquaint himself with them and to pass them on, through Grigorenko and Orlov, to the US embassy in Moscow, for the purpose of disseminating these documents in the West and having them used as hostile propaganda in subversive actions against the USSR.

44. In the first half of December 1976 Rudenko produced a manuscript and twenty typewritten copies of a so-called "Record No. 1 of the Meeting of the Ukrainian Public Group to Promote," which contains slanderous fabrications that denigrate the Soviet state and social order. He then disseminated this document, giving one typed copy each to Berdnyk, Meshko, Matusevych and Marynovych, also acquainting Lukyanenko with it. Rudenko kept the manuscript and the remaining copies of "Record No. 1" in his own apartment.

The recounted circumstances of criminal actions of defendant Rudenko are corroborated by his testimony at the court session that on December 21, 1976, in a telephone conversation with the secretary of the so-called Washington Committee he had related that which was quoted above and reported his desire to establish contact with the American consulate in Kiev for the purpose of passing on documents to the West. The defendant also explained that he had prepared the manuscript of the document "Record No. 1" and acquainted members of the group with it.

His guilt is also supported by materials attached to the case [indicating] that the slanderous information relayed by telephone to Bohdan Yasen in Washington was printed in full in January 1977 in the USA in a so-called "Report No. 1" and was widely disseminated in the West (. . .).

By material evidence: by verbatim transcript of Rudenko's conversation with Bohdan Yasen, sent by mail from the USA to Kiev for Rudenko. By Rudenko's "letter" to Yasen and by the above-listed documents that were attached to this letter, which were confiscated from Berdnyk's apartment and also by the manuscript and the seventeen written copies of "Record No. 1," confiscated during the search of Rudenko's apartment (. . .).

By a forensic criminal examination establishing that the handwritten text of the "letter" to Bohdan Yasen was executed by Rudenko. "Record No. 1" was typed on Rudenko's typewriter and the manuscript and handwritten corrections in the texts of the copies were also executed by Rudenko himself (. . .).

Witness Berdnyk confirmed for the court that he had acquainted himself with the above-mentioned documents, which were confiscated from him during a search.

Witness Lukyanenko explained to the court that he had acquainted himself with the document, "Record No. 1."

45. In January 1977 Rudenko prepared, on behalf of the so-called Group to Promote, "Memorandum No. 2," which is a diatribe on Soviet reality and the internal policies of the CPSU and the Soviet government. The document is written from hostile bourgeois-nationalist positions and is aimed at undermining the friendship of Soviet peoples and against the principles of proletarian internationalism. It attempts to denigrate the Soviet Union and to undermine its prestige on the international scene. In January 1977 Rudenko acquainted Lukyanenko with the manuscript of this document; Lukyanenko typed a conclusion to this document and both signed it, Lukyanenko also signing for Kandyba. Upon returning to Kiev Rudenko acquainted Berdnyk, Matusevych, Marynovych and Meshko with this document and they also added their signatures under its text. Rudenko gave a copy of each of the aforementioned persons who signed the document. Rudenko intended to take the document through Berdnyk to Moscow and to pass it on abroad to the West, through Grigorenko, for dissemination.

46. In the second half of January 1977 Rudenko, on behalf of the same so-called Group, prepared in Ukrainian and Russian a manuscript of the hostile document "Memorandum No. 3," which contains slanderous fabrications that denigrate the Soviet state and social order. In particular, it is slanderously asserted that lawlessness, arbitrariness, and violations of human rights allegedly take place in our country. In preparing this document he used slanderous materials received from Terelya. Rudenko acquainted Lukyanenko with the manuscript of this document and both signed it, Lukyanenko also signing for Kandyba. In Kiev Rudenko acquainted Berdnyk, Matusevych, Marynovych and Meshko with "Memorandum No. 3," all of whom signed this document.

For further dissemination Rudenko intended, with the help of Grigorenko or Orlov, to pass copies of this document on to the West through the USA embassy in Moscow, but he was unable to do this for reasons that, because of his arrest, were beyond his control. Rudenko explained in court that he prepared the documents entitled "Memorandum No. 2" and "Memorandum No. 3" and acquainted Lukyanenko, Berdnyk, Matusevych, Marynovych and Meshko with these documents and that they signed them. In order to have them reproduced and disseminated Rudenko gave these documents to Berdnyk for him to pass them on, through Grigorenko, to the West.

Witness Lukanenko explained to the court that he had received these documents and signed them. Berdnyk gave similar testimony to the court.

Witness Kandyba explained that he had entrusted Meshko and other persons to sign the documents of the so-called Group to Promote in his name.

Apart from the testimony of the defendant and witnesses, the charge is also supported by material evidence:

By the manuscript texts of "Memorandum No. 2" and Memorandum No. 3" and the typewritten copies of these documents, as well as by the photocopies of the typewritten documents, which were confiscated at Rudenko's apartment during the search (. . .).

By the record of the search at Meshko's apartment, during which the manuscript and typewritten texts of Rudenko's documents "Memorandum No. 2" and "Memorandum No. 3" were confiscated and by the record of the examination of the above-mentioned documents (. . .).

By the results of forensic examinations, according to which the manuscript texts of "Memorandum No. 2" and "Memorandum No. 3" and the typewritten copies of these documents were executed by defendant Rudenko, the conclusion of the typewritten text of this document was typed on a typewriter by Lukyanenko, while the typewritten texts of "Memorandum No. 2" were typed on Berdnyk's typewriter. The documents were signed by Rudenko, Lukyanenko, Matusevych and Marynovych.

47. Defendant Rudenko committed crimes not only on the territory of the UkrSSR, but also in the RSFSR. Thus, while in Moscow in late November 1976, Rudenko, together with Orlov and Sakharov, took part in the preparation of a hostile anti-Soviet document, the so-called "Message to the Heads of Governments of Countries Participating in the Helsinki Accords."He entrusted Grigorenko with signing the document on his behalf. In the text mentioned, speaking out in the defense of Zosimov, a traitor to the Fatherland, Rudenko and other participants justify his crime, perpetrate malicious slander and fabriciations that denigrate the Soviet state and social order, and attempt to denigrate the internal and foreign policies of the Soviet state.

48. While in Moscow in January 1977 Rudenko, together with Grigorenko, at the latter's apartment, prepared in manuscript form a document entitled "An Appeal" to the communist parties of the USA and Canada on behalf of the members of the so-called Ukrainian Group to Promote, which makes up slanderous fabrications that denigrate the Soviet state and social order. In particular, this document slanderously asserts that violations of Human Rights allegedly take place in the Soviet Union. Along with this an appeal is made for interference in the internal affairs of the USSR. Rudenko then acquainted Orlov with the manuscript of this document in Moscow, after which, together with Grigorenko, he reproduced four copies of the document in question on a typewriter, signed them, along with Grigorenko, and disseminated them. On January 10, 1977, he gave one copy to a foreign correspondent in Moscow and left another with Grigorenko to be passed on to Orlov. Rudenko brought one copy of this document back with him to Kiev, where he acquainted Berdnyk, Matusevych, Marynovych and Meshko with it, and they also signed this document. Rudenko kept the above-mentioned copy of the document in his home until its confiscation during the search.

Defendant Rudenko's guilt under the aforementioned circumstances of the criminal actions is supported by the following evidence.

By the court testimony of Rudenko, who explained that together with Orlov, Sakharov and Grigorenko he took part in the preparation of the document in the form of a "Message" and entrusted Grigorenko with signing this document on his behalf; and that on January 8, 1977, in Moscow, together with Grigorenko, he prepared a manuscript of a document in the form of an "Appeal," acquainted Orlov with it and then typed up four copies of the document on a typewriter and signed them with Grigorenko, gave one copy to Orlov and took another to Kiev, where he acquainted Berdnyk, Meshko, Matusevych and Marynovych with it, they signing this document.

By the record of the search at Rudenko's apartment, during which the manuscript of the "Appeal" was confiscated (. . .). Witness Berdnyk explained in court that he had signed the document "An Appeal."

By material evidence: the typewritten copies of the document "To the Heads of Governments of Countries Participating in the Helsinki Accords" and a typewritten copy of the "Appeal," confiscated at Rudenko's apartment (..)

By the forensic-criminal examination, according to which the above-mentioned document "An Appeal" was signed by Rudenko (. . .).

Defendant Rudenko pleaded not guilty at the court session to the charges on which he had been indicted. In his defense Rudenko offered arguments that he doesn't consider his actions to be criminal (that he didn't slander Soviet reality and had no intention of undermining and weakening Soviet power). But his guilt is confirmed by the evidence enumerated above. The Judicial Collegium painstakingly examined the documents prepared by Rudenko and has come to the firm conclusion that the contents of these documents are of an openly hostile nature and that they are aimed at undermining and weakening Soviet rule. Further proof of this is that Rudenko systematically prepared, reproduced, kept and disseminated the enumerated documents, despite a number of warnings from officials about the inadmissiblity of such actions. In addition to this, he had ties with foreigners, especially with newspaper and radio correspondents of several capitalist countries, through whom he passed on abroad for dissemination in the West a series of his documents containing slanderous fabrications that denigrate the Soviet state and social order.

Knowing that the documents he had prepared were being published in the West by the anti-Soviet nationalist press and were being widely used abroad by hostile propaganda for subversive purposes against the Soviet Union, Rudenko not only did not speak out against this, but instead, on his own initiative, developed and used the means to expand further his criminal ties with foreigners from capitalist countries, in particular attempting, with hostile intentions, to establish contact with the representatives of the USA consulate in Kiev and through them to pass on to the West slanderous materials against the USSR. He relayed information of this nature by international telephone to the bourgeois nationalist Bohdan Yasen, who resides in the USA and who is the chief editor of the anti-Soviet information service Smoloskyp, which engages in subversive activity against the USSR.

Thus, the assertion of defendant Rudenko that by his actions he allegedly did not seek to undermine and weaken Soviet rule are groundless and constitute his attempt to evade responsibility for the especially dangerous crimes committed against the state.

In January 1972 defendant Tykhy prepared a document hostile to socialist society, entitled "Reflections on Ukrainian Language and Culture in Donetsk Region," in which he invents slanderous fabrications that denigrate the Soviet state and social order, deliberately distorts the true state of Soviet Ukrainian national culture and asserts from nationalistic positions that the indigenous population of Donetsk Region is allegedly deprived of cultural life, that the life of an educated person"in no way differs from that of an animal." He declares that the present situation is allegedly leading to the decline of culture and the assimilation of the indigenous Ukrainian population. Tykhy disseminated this document; he sent a manuscript to the editorial office of the regional newspaper *Radyanska Donechchyna* with a demand that it be published. On several occasions in early 1972 Tykhy visited the editorial office, where in conversations with M. I. Nepran, an employee of the newspaper, he defended the slanderous contents of this document. Besides this, in April 1973 the defendant handed a manuscript copy of this document, produced by him, to Hrebenyuk, a resident of Kramatorsk, for his familiarization, and in May 1976 gave a typewritten copy, together with other documents of him, to Bereslavsky, a resident of Dnipropetrovsk. He kept the rough draft of the manuscript notes and a typescript of the document in question in his home until the day of their confiscation.

In late 1972 Tykhy, with the same intentions, prepared a second hostile document, entitled "Thoughts About My Native Donetsk Land." In this document Tykhy invents malicious, slanderous fabrications that denigrate the Soviet state and social order and the nationality policies of the CPSU and the Soviet government. He asserts that in Ukraine, and particularly in Donetsk Region, mass forcible assimilation of the Ukrainian population is allegedly being conducted and Ukrainian language and culture are being destroyed. Speaking out against the friendship of the Soviet peoples, in this document Tykhy calls people of non-Ukrainian nationality who live in Donetsk Region — "colonialists" and "plantation owners." With the intention of disseminating this document Tykhy reproduced it on a typewriter and in 1973 gave copies to Putrya, a resident of the city of Zhdanov, for her familiarization and in May 1976 to Bereslavsky, a resident of Dnipropetrovsk. He kept one copy of this document in his home.

In April 1973 Tykhy wrote a letter addressed to the Chairman of the Presidium of the Supreme Soviet of the UkrSSR, in which he invents slanderous fabrications that denigrate the Soviet state and social order and slanderously asserts that on the territory of Donetsk Region forcible assimilation of the populace was allegedly being implemented and that Ukrainians allegedly do not have the right or opportunity for unhindered development or for an education in their native language. Tykhy attempts to introduce hostility and distrust into the brotherly relations between Ukrainians and persons of other nationalities living in Donetsk Region.

In May 1976 the defendant gave this document to Bereslavsky for his familiarization and kept one copy of this document in his home until the day of its confiscation. While handing over the above-mentioned slanderous documents to Bereslavsky at his apartment in Dnipropetrovsk, defendant Tykhy argued the contents of these documents and slanderously asserted that on the territory of Ukraine, especially in Donetsk Region, Ukrainian language and culture are allegedly on a low level.

The recounted circumstances of the criminal actions of defendant Tykhy are supported by the testimony of Tykhy himself, who explained to the court that he prepared the document entitled "Reflections. . ." and later mailed it to the editorial office of the paper *Radyanska Donechchyna.* In 1972 the defendant prepared the document "Thoughts About My Native. . .," reproduced it on his own typewriter and gave it to Putrya and Bereslavsky for their familiarization with it. The defendant's guilt is also confirmed by the testimony of witnesses Nepran, Hrebenyuk, Bereslavsky and Putrya, who explained in court that Tykhy gave them these documents for their familiarization.

Thus, witness Nepran testified that in 1972 Tykhy sent a manuscript of his letter "Reflections. . ." to the editorial office of the regional newspaper *Radyanska Donechchyna,* after which he visited the editorial office on several occasions and demanded the publication of the aforementioned document; in conversation with him Tykhy brought up the above-mentioned slanderous fabrications that denigrate the Soviet state and social order.

Witnesses Hrebenyuk and Bereslavsky told the court that Tykhy gave them a manuscript and typescript of the document "Reflections. . ." for their familiarization. Witness Bereslavsky also explained that Tykhy gave him for his familiarization a copy of the document "Thoughts About My Native Donetsk Land" and a document in the form of a letter to the Chairman of the Presidium of the Supreme Soviet of the USSR.

Witness Putrya explained that in 1973 in his apartment Tykhy gave her a typewritten copy of the document "Thoughts. . ." for her familiarization.

Guilt is also corroborated by material evidence: manuscript and typewritten texts of the document "Reflections. . ." and typewritten copies of the document entitled "To the Chairman. . .," which were confiscated from Tykhy and Bereslavsky (. . .); by the findings of a forensic examination that the manuscript texts of the document "Reflections. . ." and the manuscript text of the document "Thought. . ." were produced by defendant Tykhy, while the typewritten copies of the document entitled "To the Chairman of the Presidium. . ." and copies of the other mentioned documents were produced on Tykhy's Moskva-6 typewriter (. . .). With the intention of undermining and weakening Soviet rule Tykhy prepared in the second half of 1974 a document entitled "Rural Problems," which contain slanderous fabrications that denigrate the Soviet state and social order.

In this document he defames the Soviet peasantry, maliciously slanders the policies of the Soviet state in the area of agriculture and endeavors to prove that a peasant in our country is allegedly without rights and has become an ordinary appendage of the land, like cattle or a machine. With the aim of disseminating the above-mentioned slanderous hostile fabrications, Tykhy reproduced this document on a typewriter, mailed one copy to Andros, a resident of Donetsk Region, for his familiarization, and kept another at [his] apartment.

In 1974 defendant Tykhy prepared a typewritten document entitled "You and We," which contains malicious slanderous fabrications that denigrate the Soviet state and social order. Tykhy attempts to denigrate the nationality policy of the Soviet state, to introduce hostilities into the fraternal relations between the Ukrainian and Russian peoples. This document was disseminated in 1974. Tykhy gave it to Hrebenyuk for his familiarization; he in turn gave the document to Citizen Tsap. Tykhy also attempted to obtrude bourgeois nationalist ideas upon his son, M. O. Tykhy, and his son's wife, N. O. Tykhy, who both live in Moscow, and sent them a slanderous letter that denigrates the Soviet state and social order. Referring to the relations between persons of two nationalities, the defendant writes, "... there lies a chasm between us — the difference between nationalities," and slanderously asserts that "the fifty-million-strong Ukrainian people" are allegedly "long-suffering, humiliated and culturally repressed."

On June 25, 1976, Tykhy prepared a typewritten document in the form of a so-called complaint addressed to the procurator of the UkrSSR about his [Tykhy's] allegedly groundless sentencing in 1967 and allegedly illegal search in the summer of 1976. Tykhy distributed this document in 1976 in Lukyanenko's apartment, giving a copy to Rudenko with a request that it be included in the final version of the latter's anti-Soviet document entitled "Memorandum No. 1," which Rudenko subsequently did, noting in this document that the search at Tykhy's and his detention allegedly were illegal.

The guilt of defendant Tykhy under the above-mentioned circumstances is supported by the following evidence:

By the testimony of defendant Tykhy, who explained to the court that he prepared, reproduced and disseminated the documents "Rural Problems," "You and We" and the letter to the procurator of the UkrSSR.

By the testimony of witness Andros in court that in late 1974 Tykhy sent to him by mail for his familiarization a copy of the document "Rural Problems."

By the testimony of witness Tsap, who told the court that he received the document "You and We" from Hrebenyuk.

By the testimony of defendant Rudenko that in 1976 he met with Tykhy in Chernihiv in Lukyanenko's apartment, where, after becoming acquainted with the "Declaration" and "Memorandum No. 2, " Tykhy handed him a typewritten copy of his statement addressed to the procurator of the UkrSSR and asked that its contents be included in the final version of "Memorandum No. 1."

By the record of the search at Rudenko's apartment, where a typewritten copy of Tykhy's so-called statement to the procurator of the UkrSSR was confiscated.

By material evidence: a typescript of the documents "Rural Problems" and "You and We," the typescript of Tykhy's so-called statement to the procurator of the UkrSSR and the letter to his son, confiscated from Tykhy during a search on June 15. 1976.

By the findings of a forensic examination that copies of the above-mentioned documents were typed on a Moskva-6 typewriter, No. 340665, that was confiscated from Tykhy and that the personal signature at the bottom of the document-statement to the procurator of the UkrSSR belonged to Tykhy (. . .).

During [the period] 1968-1976 defendant Tykhy conducted anti-Soviet propaganda among his acquaintances and other persons with the aim of undermining and weakening Soviet power, by disseminating slanderous fabrications in oral form that denigrate the Soviet state and social order, attempted to prove from bourgeois-nationalist positions hostile to socialist society that authorities in Ukraine were allegedly carrying out forcible Russification and that the Ukrainian language was "in a state of neglect" and also tried to introduce animosity into the brotherly relations between the Ukrainian and Russian peoples. Tykhy stated this to Andros on several occasions and suggested he write letters-statements to various departments, and also counseled Andros to step down from his post as school principal, so as to have free time to conduct nationalistic activity hostile to Soviet society.

This accusation is supported by the testimony of witness Andros, who confirmed in court that Tykhy attempted to re-educate him.

While working in 1972 on the construction of the Zaporizhzhya HES, Tykhy on a number of occasions slanderously asserted in the presence of Chuprynka that presently there are allegedly no writers in Soviet Ukraine who would truthfully highlight the history of Ukraine and the Ukrainian people and that the language was allegedly "being neglected." That same year Tykhy, having become acquainted with Dobryansky, slanderously asserted in his presence that the Ukrainian language in the Donbas was allegedly on the decline, that Russification and assimilation are allegedly being implemented in Donetsk Region, that Ukrainian language and literature were being "throttled" in Ukraine. The defendant carried on such a conversation in the presence of Dobryansky and Citizen I. M. Rudenko, and with Hrebenyuk, a resident of the city of Kramatorsk, as well as in Hospital No. 2 in the Novy Swit District of the city of Kramatorsk in the presence of Citizen Skrypkin and other persons.

The recounted circumstances of Tykhy's criminal actions are supported by the testimony of witnesses in the case and partly by the defendant's testimony.

Thus, witness Chuprynka confirmed in court that in conversations with him in 1972 Tykhy on several occasions allowed himself to invent slanderous fabrications that denigrate the Soviet state and social order.

Witnesses Dobryansky, Rudenko,[11] Hrebenyuk and Skrypkin confirmed that in conversations with them Tykhy expressed slanderous fabrications.

On March 21, 1976, while travelling from the city of Kramatorsk to Moscow in a compartment of a passenger train, Tykhy, in the presence of passengers Sedrysty, Sedrysta and others, asserted from hostile positions that Ukraine should be only for the Ukrainians and attempted to evoke distrust and hostility towards persons of non-Ukrainian nationality who live in Ukraine. In March 1976, in a conversation with Leonova in her apartment, Tykhy slanderously asserted that the Ukrainian language had been ousted from the schools.

On November 12, 1976, in the Department of the Theory of Literature at the Donetsk State University, Tykhy, in the presence of lecturers I. I. Stebun and L. A. Bakhayeva, slanderously asserted that Ukraine was allegedly being

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[11] I. M. Rudenko, a witness, not Mykola Rudenko the co-defendant.

"denationalized" under the yoke of the policy of Russification being implemented by "those holding power," by state and party organizations, etc.

The recounted circumstances of the defendant's criminal actions are confirmed by the testimony of witnesses Sedrysty and Sedrysta that Tykhy, while travelling with them in a train compartment, expressed in their presence slanderous fabrications that denigrate the nationaltity policies of our government.

Witness Leonova explained at the preliminary investigation that, while in her apartment, Tykhy expressed slanderous fabrications that denigrate the Soviet state and social order.

Witnesses Stebun and Bakhayeva explained in court that Tykhy, while at the department and in their presence, expressed the above-cited malicious fabrications that denigrate the Soviet state and social order.

As was established at the judicial proceedings, in late 1976 Tykhy began to seek more active forms of waging a struggle against Soviet rule," in order to undermine and weaken it. While staying in Lukyanenko's apartment, he became acquainted with Rudenko, who today is a defendant in this case, and read and discussed together with him the anti-Soviet documents "Declaration of the Ukrainian Public Group to Promote. . ." and "Memorandum No. 1," prepared by Rudenko, which Tykhy approved and signed, thus becoming a co-author of these anti-Soviet documents. The above-mentioned documents have been widely disseminated in the West; they are being actively used by nationalist leaders in the foreign bourgeois press, as well as in anti-Soviet broadcasts by Western radio stations.

This charge is supported by the testimony of defendants Rudenko and Tykhy that in Lukyanenko's apartment in Chernihiv Tykhy became acquainted with the documents "Declaration" and "Memorandum No. 1" and personally signed them.

Witness Lukyanenko also confirms the circumstances of [his] becoming acquainted with Rudenko and Tykhy and the signing of these documents.

By material evidence: the manuscripts and typescripts of the documents entitled "Declaration" and "Memorandum

No. 1," with surnames, addresses and signatures, which were confiscated during searches.

By the postal receipts for letters sent to England and the FRG, which were confiscated from Tykhy, and by letters that he received from abroad and that were confiscated from him, all of which were attached to the case (. . .).

Tykhy's guilt is also confirmed by his testimony at the court proceedings. . .

Besides this, Tykhy kept in his home in Yizhevka settlement, Konstantyniv District, Donetsk Region, where he has lived almost continuously since his birth, a firearm, a battle carbine of the "Mauser" system — still capable of being fired, an 1898 model, 7.9 mm calibre, of German production — which was discovered at his place during a search on December 24, 1976. This charge was confirmed during the court proceedings.

By the record of the search of December 24, 1976, during which a battle carbine of German manufacture was found in a closet in Tykhy's home and confiscated (. . .). By the findings of a criminal examination [establishing] that the carbine confiscated at Tykhy's home was capable of being fired.

Defendant Tykhy denies that he is guilty of illegal safekeeping of weapons, claiming that he does not know how it happened that the weapon was discovered in his home's closet. But his argument is contradicted by the above-cited argumentation.

The Judicial Collegium has established that Tykhy's criminal activities were directed at undermining and weakening Soviet rule; this is attested to by his anti-Soviet nationalistic convictions, the contents of the above-enumerated documents produced and disseminated by him and the slanderous fabrications disseminated by him in oral form, all of which denigrate the Soviet state and social order, and also by the circumstance that Tykhy was involved in such activities for a long time, systematically and stubbornly would not cease them, despite official warnings.

These intentions of his are confirmed by the fact that he established criminal ties with defendant Rudenko and other like-minded individuals, with whom he worked on and supplemented, as well as signed, anti-Soviet documents, the so-called "Declaration" and "Memorandum No. 1," which were later widely disseminated on the territory of our country and abroad in the West, where they are being used by nationalistic centers, the bourgeois press, the hostile radio stations [Radio] Liberty, Deutsche Welle and others, in subversive actions against the Soviet Union.

Thus, Tykhy's assertions that by his above-mentioned actions he supposedly had not intended to undermine and weaken Soviet rule are groundless and appear to be his attempts to evade responsibility for the especially grievous state crimes committed.

The criminal actions of defendants Rudenko and Tykhy have been determined correctly: Rudenko's under Art. 62, Sec. 1, CC UkrSSR, and Art. 70, Sec. 1, CC RSFSR; Tykhy's under Art. 62, Sec. 2, CC UkrSSR, and Art. 222, CC UkrSSR.

In deciding the issue of the severity of the punishment for Rudenko and Tykhy, the Judicial Collegium takes into account the degree of danger the crimes committed posed for society and the personality of Rudenko and Tykhy: Tykhy, having been previously convicted on April 18, 1957, of an especially dangerous state crime under Art. 62, Sec. 1, CC UkrSSR, and sentenced to seven years' imprisonment, and released on February 15, 1964, from the places of imprisonment, did not step onto the road of correction; even before the expungement of the record of the above-mentioned conviction, he again began to engage in anti-Soviet agitation and propaganda; therefore, on the basis of Art. 26, Sec. 1, CC UkrSSR, Tykhy must be declared an especially dangerous recidivist with his sentence to be served in a corrective labor colony with a special regime. Court costs during the preliminary investigation (the payment of per diem, housing costs, for witnesses' travel, for forensic examination) are to be collected from the defendants — 665 roubles, 25 kopecks, from Rudenko, 320 roubles, 17 kopecks, from Tykhy — for the benefit of the state.

On the basis of the above-cited and guided by Art. 323-324 of the Code of Criminal Procedures of the UkrSSR, the Judicial Collegium for Criminal Cases of Donetsk Regional Court has

ADJUDGED

to declare guilty and to sentence

Rudenko, Mykola Danylovych

under Art. 62, Sec. 1, CC UkrSSR, to deprivation of liberty for a term of 7 (seven) years, with exile for a term of five years; under Art. 70, Sec. 1, CC RSFSR, to deprivation of liberty for a period of five years, with exile for a term of five years. On the basis of Art. 42, CC UkrSSR, to set the eventual sentence to be served as the deprivation of liberty for seven years, with exile for a term of five years, the sentence to be served in a corrective labor colony with a strict regime.

Tykhy, O. I.

under Art. 62, Sec. 2, CC UkrSSR, to deprivation of liberty for a term of ten years and exile for a term of five years. Under Art. 222, Sec. 1, CC UkrSSR, to deprivation of liberty for a term of three years, and on the basis on Art. 42, CC UkrSSR, to set the eventual sentence to be served as the deprivation of liberty for a term of ten years and exile for a term of five years, the sentence to be served in a corrective labor colony with special regime.

On the basis of Art. 26, Sec. 1, CC UkrSSR, Tykhy, O. I., is to be declared an especially dangerous recidivist; preventive measures with respect to Rudenko and Tykhy to remain as before — detention under guard. The length of Rudenko's sentence is to be counted from the time of his detention, that is, from February 5, 1977; Tykhy's — from February 4, 1977.

Court costs to be collected from the defendants: 665 roubles, 25 kopecks from Rudenko; 320 roubles, 17 kopecks from Tykhy.

The material evidence in the case: Rudenko's and Tykhy's typewriters, as the instruments of crime, are to be confiscated and turned into property of the state; the Zenit-E camera also to be confiscated and turned into property of the state.

The Mauser rifle confiscated from Tykhy to be handed over to police organs.

The rest of the material evidence to remain with the case.

The sum of 129 roubles is to be collected from Rudenko for defense counsel Aleksevnin's participation in the case, for the benefit of the Presidium of the Donetsk Regional Collegium of Lawyers.

The verdict may be appealed and contested by the participants in the judicial proceedings within a period of seven days from its announcement, and by the convicted persons within the same period from the moment a copy of the verdict is delivered to them.

Presiding Judge (signature)
People's Assesors (signatures)

Verified as Correct: the presiding judge in the case, Zinchenko, E. M., the deputy to the Chief Judge of the Donetsk Regional Court.

AN OPEN LETTER

TO: THE PRESIDIUM OF THE SUPREME SOVIET OF THE USSR,
MOSCOW
THE CONGRESS OF THE UNITED STATES OF AMERICA,
WASHINGTON

Copy: The Washington Committee to Promote the Implementation of the Helsinki Accords in Ukraine,[1] *Dr. A. Zwarun*

Honored Legislators of the USSR and the USA!

In signing the Helsinki Accords, the two most powerful countries on Earth gave their Solemn Word that they would cooperate in the cause of safeguarding peace, security and Human Rights. People with a finely honed legal consciousness in different parts of the world received the accords as a kindred cause and began to form groups to promote the implementation of these agreements. Such a group appeared also in Ukraine, a group that in its declaration pointed to instances of violations of the Law in our Republic. But even before the declaration had a chance to be heard in the world, blows rained upon the group — repeated searches, persecution, threats, and, on February 5, 1977, the arrests of the head of the group, the poet Mykola Rudenko, and a group member, teacher Oleksiy Tykhy.

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[1] Refers to the Helsinki Guarantees for Ukraine Committee.

They were arrested with no warrant being issued, with no indication of the substance of the crime. For weeks now they have held Mykola Rudenko in a Donetsk dungeon, without informing his family and friends about the reasons for his arrest and forbidding his wife to send him even the most indispensable things.

An ominous precedent! All the standards of Law violated completely! The organs of repression have returned to the practices of Beria's time, the practices that were damned by the people. What Helsinki Accords is it possible to speak of when a prominent poet and thinker, the author of the *Economic Monologues*, in which he reveals for mankind a new understanding of the interdependence of Man and the Cosmos, when such a selfless human being has been brutally tossed into a dungeon, as in the darkest periods of the Inquisition?!

In this can be clearly traced the purposeful actions of the anti-evolutionary forces, which strive to destroy the efforts of the governments of the USSR, the US and the other signatories of the Helsinki Accords, aimed at safeguarding peace and securing Human Rights. It is imperative that the criminal acts of persecution against fighters for Law be resolutely investigated.

Putting forth my demand for such an investigation, I DECLARE — in accordance with the laws of friendship and brotherhood that have been practiced in Ukraine since ancient times — A HUNGER STRIKE, as a sign of protest against the arrest of Mykola Rudenko and other fighters for Law.

The hunger strike will last until either Mykola Rudenko is released, or competent organs announce in the press what he was arrested for and what they plan to do with him.

I will begin the hunger strike March 3, 1977. I ask the Washington Committee to Promote to support me. I ask other fighters for Law and all honest people in the World to join with me at least symbolically by demanding the release of Mykola Rudenko and other fighters for Law.

March 1, 1977 /Signed:/ *Oles BERDNYK, Writer*
Kiev

Member, Ukrainian Public Group
To Promote the Implementation
of the Helsinki Accords

AN OPEN LETTER . . .

TO THE PARTICIPANTS OF THE BELGRADE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE AND AMNESTY INTERNATIONAL

On February 10, 1977, I and eight other Soviet citizens, among them Andrey Sakharov, the laureate of the Nobel Peace Prize, writers Lida Chukovskaya and Lev Kopelyev, and the eminent Moscow lawyer Sofiya Kallistratova, appealed to the procurator of Ukraine with a request to reduce the sentence of the leader of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords, the philosopher and writer Mykola Rudenko.

In making this request we referred to Soviet laws and pointed out:

> *M. D. Rudenko is fifty-six years old, he had never been tried before, he is an invalid of the Patriotic War.[1] As a result of a wound suffered at the front, Rudenko has an injured spinal column. For such an invalid a prison regimen is equal to death.*

In reality it turned out that such an injury in prison conditions not only threatens quick death, but can also become a source of ceaseless torture. Even during the investigation it was suggested to Rudenko that he "repent" and announce the disbandment of the group he headed.

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[1] World War II.

"If you do this," he was told, "all your suffering will end. You will return home to a caring wife, you will have daily medical care and walks in the grove."

Now we have received a personal confirmation from Rudenko that even after the trial he suffers constant physical suffering from his wound and is exposed to psychological torture. It has been suggested to him that he could be rid of his physical suffering and be released from his long term of imprisonment . . . [illegible in the original]. He gave an account of this in language characteristic of a poet — in a poem, a poem that over the course of two months travelled a long and complex road, finally arriving to the one it was addressed to, namely me.

It has been established through lengthy channels that Mykola Rudenko was taken for interrogation from Kiev to Donetsk, and has now been returned to Kiev, where he receives visit after visit from his two adult sons, who, having given in to KGB pressure, are trying to persuade their father: "Repent, Papa, or you'll die yourself and ruin our lives too." It is obvious that with these charades and psychological torture they [the KGB] want to get Mykola Rudenko to testify, through his "repentance," that the cruel and unjust verdict handed down to him and Oleska Tykhy on the basis of fabricated charges is legally just and humane.

I appeal to the participants of the Belgrade Conference on Security and Cooperation in Europe, to Amnesty International and to all honest people of the world: demand an immediate end to the physical and mental torture employed against a war invalid, demand the release from prison of Mykola Danylovych Rudenko and his comrade in the trial, teacher Oleksa Tykhy, who have been unjustly convicted.

October 18, 1977 /Signed:/ ***Petro Hryhorenko***
Moscow

An Open Letter

To: The United Nations, New York
The U.N. Human Rights Commission
Amnesty International
L. Brezhnev, Chairman of the Presidium of the Supreme Court of the USSR

On the Day of Victory Over Facism, I declare a hunger strike with the demand that Mykola Rudenko, war invalid, commissar, poet, and philosopher, be released from dungeon.

The conscience of the living, and the will of those who fell in battle demand: enough killing and dungeons, enough agony and persecution! Peace will come only when the seekers and strugglers for law are no longer persecuted!

Freedom for Mykola Rudenko and his comrades-in-arms!

May 9, 1978

Ukrainian Helsinki Group Member:

/Signed/ Oles Berdnyk
(writer)

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Mykola Rudenko

Rudenko arrived in Mordovian camp #19 on December 2, 1977. On December 22, 1977, he was granted a three-day personal visit with his wife. At that time, he told his wife that, if the camp administration did not interfere with his work; i.e. with his poetry writing, he would behave properly and not take part in the various protests, etc. At that time, he worked in the wood-drying room. The work was not difficult.

But his wife had hardly left when he was re-assigned to heavy labor and his poetry taken away. Rudenko went on a hunger strike in protest and three days later his verses were returned. The work to which Rudenko was assigned, however, was beyond his strength; he is a disabled war veteran and his spine injury prevents him from bending over. Rudenko refused to do this job and, on January 20, 1978, he was sent to the prison hospital in Barashevo to determine the degree to which he was disabled.

Until his arrest on February 5, 1977, Rudenko had been classified as an invalid of the third group, and received a pension of 120 rubles a month. On that day, authorities revoked his invalid record book so that he could no longer receive a pension. All the same, his disability classification had been on the basis of his occupation as a writer not engaging in physical labor. The doctors had the same opinion: Rudenko should have been classified in the second group, but his profession placed him in the third.

In Barashevo, doctors decided that Rudenko should be placed in the second group and confirmed that he, in fact, could not engage in heavy labor. On February 10, 1978, Rudenko was reclassified to group two. Nevertheless, the camp administrators announced that he had no right not to work, and assigned him to daytime duty as an orderly in the barracks. This is what he does now.

From March 21 through April 21, 1978, Mykola Rudenko again was in the hospital at Barashevo due to an aggravation of his back injury. On May 5, 1978, he was granted a two hour general meeting with his wife. To the question as to why the visit could not last four hours, prison authorities told Rudenko's wife that supposedly Rudenko himself was responsible for the short meeting: he had not signed the chart for a visit for the month of May. Rudenko told his wife that there was no such chart, nor had there ever been one.

Since he is allowed two general meetings, Rudenko's wife asked when they could have the second. The authorities answered, "In exactly six months," that is, on November 5. And then a private visit on December 22, 1978.

Rudenko told his wife that the large quantity of verse he had written during his arrest had been confiscated. Rudenko is preparing to declare a hunger strike until his verses are returned.

In addition, he told his wife that he could not keep his promise not to take part in protests since he was not being allowed to live and work in peace.

It was possible to give Rudenko only two pair of socks, two handkerchiefs, one ball point pen without a cartridge, shorts, underwear, a bar of soap, and slippers. Rudenko told his wife that Osipov had tuberculosis and had been transferred to the tubercular ward.

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[1] Vladimir Osipov.

VII—THE HELSINKI MOVEMENT IN UKRAINE—NEW DIRECTIONS

Jerusalem. Republic of Israel
To the President and the Knesset of the Republic

DECLARATION

I, Josyp Terelya, a native of Transcarpathian Ukraine, born in 1943, am a Ukrainian. I am married with three small children. My wife, who is a doctor, is currently unemployed. We are Catholics. In my declaration addressed to the parliament of the republic and to you, Mr. President, I am requesting that you consider my application and that of my wife for citizenship of the republic of Israel.

In total I have spent 20 years in Muscovite occupation, prisons and labour camps. Neither my wife nor I had intended to emigrate — our place is with our enslaved people. However, after my most recent release, the authorities have intensified their repression and threats — they are threatening to murder me, to give me another prison term... In 1982 I became the head of a newly-created Helsinki group: 'the Initiative Group to Defend the Rights of Believers and the Church in Ukraine', for which I was arrested in December, 1982, and sentenced to 1 year in a labour camp. A new trial is being prepared against me and I no longer wish to be a citizen of the U.S.S.R. I will live, working on behalf of Ukraine or die, but I will not be a citizen, which the invaders have made me by force...

I think that I shall begin my next term of imprisonment in communist labour camps as a citizen of the free republic of Israel.

I would be deeply grateful if the government of your republic will consider my application in a positive manner.

3. 5. 1984

J. Terelya,
village of Dovhe,
Irshavsky district,
Zakarpatska region.

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To Marshal Ustinov,
The Minister for Armed Forces
of the USSR.

STATEMENT

In connection with the escalation of the war in Afghanistan, where, as is well known, our Ukrainian children whom the Russian military administration has forcibly and without their consent, sent into the Afghan conflict to die for the great-power interests of Moscow, are part of the USSR's army of occupation.

We, the members of the Ukrainian Helsinki Initiative Group to Defend the Rights of Believers and the Church, protest against the established tradition of the Moscow government to exploit Ukrainians in military campaigns beyond the borders of the Soviet Union in colonial wars waged by the government of the USSR for its own aims. The Afghan people have never done any harm or mischief to the Ukrainian SSR, have never taken a single inch of our territory, and have never threatened Ukraine either by their existence or by their desire to win their freedom from the foreign occupant which is Moscow.

This is why we, as Christians and members of the Ukrainian nation, and as the clergy of the Ukrainian Catholic Church, lodge our protest against the forcible and illegal dispatching of our Ukrainian young men to the unjust war in Afghanistan which is being waged by the government of the USSR against the freedom-loving Afghan people.

The Ukrainian Catholic Church defends and protects all Ukrainians who are now in Afghanistan, with the exception of those Ukrainians serving in units of the KGB. Appealing to the influential international circles, we ask that Ukrainian servicemen who are in Afghanistan against their will not be counted as war criminals: the full blame should fall on the government of the USSR.

This statement is an official document by which Ukrainians who are forcibly sent to Afghanistan will be judged and exonerated at a future international tribunal. Russian chauvinism is fully responsible for the adventurism of higher Soviet military circles in Afghanistan, and, as is well known, 80 per cent of the officers in the Soviet armed forces are ardent chauvinists and misanthropists.

Ukraine has felt and continues to feel the political genocide of the Ukrainian nation perpetrated by Moscow. If the Ukrainian SSR had its own armed forces that were waging war in Afghanistan, then everyone who took part in this unjust war would carry the burden of being occupants. Ukrainians do not want to fight nor [do they want] this criminal war; we need freedom, good will among the nations of the world, and a peaceful life for our children, as for today, so for tomorrow.

Initiative Group
to Defend the Rights of Believers and the Church
Vasyl Kobryn, Chairman
Fr. Hryhoriy Budzinskyi, Secretary
Josyp Terelya, member.
Lviv, June 21, 1984.

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[2] The writer is almost certainly talking about Josyp Terelya who wrote such a letter in 1976.

III

Calendar No. 1026

99TH CONGRESS
2D SESSION

H. CON. RES. 332

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 24), 1986
Received; placed on the calendar

CONCURRENT RESOLUTION

Concerning the Soviet Union's persecution of members of the Ukrainian and other public Helsinki Monitoring Groups.

Whereas on August 1, 1975, the Final Act of the Conference on Security and Cooperation in Europe was signed at Helsinki, Finland, by 33 European states, together with Canada and the United States;

Whereas the signatories of the Helsinki Final Act committed themselves under Principle VII to "respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion;

Whereas Principle VII specifically confirms the "right of the individual to know and act upon his rights and duties" in the field of human rights, and Principle IX of the Final Act confirms the relevant and positive role organizations and persons can play in contributing toward the achievement of cooperation among nations;

Whereas the signing of the Final Act raised the expectations of the peoples of the Soviet Union for greater observance by the Soviet Union of human rights, and engendered the formation of the Moscow, Lithuanian, Georgian, Armenian, and Ukrainian citizens' monitoring groups to inform the peoples of the Soviet Union and the world with regard to the Soviet Government's compliance with the Final Act;

Whereas affiliated groups—the Psychiatric Abuse Commission, the Christian Committee, the Adventists Rights Group, the Catholic Committee, the Ukrainian Catholic Initiative Committee, and the Disabled Rights Group—later were established by citizens to address areas of specific concern;

Whereas four members of Helsinki Monitoring Groups, Oleksiy Tykhy, Yuri Lytvyn, and Vasyl Stus of the Ukrainian Group and Eduard Arutunyan of the Armenian Group, died after years of inhumane treatment in Soviet labor camps;

Whereas November 9, 1986, marks the tenth anniversary of the establishment of the largest such citizens group, the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords;

Whereas the establishment of this group coincides with the opening on November 4, 1986, of the Vienna Review Meeting of the Conference on Security and Cooperation in Europe;

Whereas the Ukrainian Helsinki Monitoring Group opened a new phase in the Ukrainian struggle for human and national rights, providing impetus for human rights activists to demand not only that the Soviet Government uphold the human rights guaranteed by the Soviet Constitution, the

Helsinki Final Act, and other international human rights declarations and covenants, but also to assert that the Western democracies have a solemn responsibility to support the struggle for achievement of human rights of Ukrainians and other peoples living under Soviet domination;

Whereas the Soviet Union continues to violate the human rights provisions of the Helsinki Final Act and other international human rights declarations and covenants by denying to the citizens of Ukraine and other Soviet Republics rights of national identity and basic human rights through intensified russification, ethnocide, repression, and imprisonment of the citizens of Ukraine and other Soviet Republics who lawfully engage in calling the Soviet Government to account for violations of human, national, and religious rights as well as the rights of family reunification and emigration; and

Whereas the blatant disregard by the Soviet Union of the humanitarian provisions of the Helsinki Final Act and other international human rights declarations and covenants, in particular its persecution of the members of Ukrainian and other public Helsinki Monitoring Groups, contribute to tensions between East and West and give rise to doubts about Soviet commitments to their international obligations: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. DISCUSSIONS WITH THE SOVIET UNION CONCERNING THE UKRAINIAN AND OTHER PUBLIC HELSINKI MONITORING GROUPS.

It is the sense of Congress that the President and the Secretary of State should firmly insist at the Vienna Review Meeting of the Conference on Security and Cooperation in Europe, and at all other appropriate opportunities for discussions with the leadership of the Communist Party and Government of the Soviet Union, that—

(1) imprisoned and exiled members of the Ukrainian and other public Helsinki Monitoring Groups in the Soviet Union be released from their incarceration in the spirit of the Final Act of the Conference on Security and Cooperation in Europe; and

(2) members of the Ukrainian and other public Helsinki Monitoring Groups be allowed to emigrate to the countries of their choice.

SEC. 2. INFORMATION ON HUMAN RIGHTS VIOLATIONS IN THE UKRAINIAN REPUBLIC.

It is the sense of the Congress that—

(1) the Secretary of State should ensure that the United States consulate in Kiev reports on Soviet human rights violations in the Ukrainian Republic, and

(2) information provided by that consulate on those violations should be included in the semi-annual reports on compliance with the Helsinki Final Act

which are submitted by the President to the Commission on Security and Cooperation in Europe pursuant to Public Law 94–304.

SEC. 3. TRANSMITTAL OF RESOLUTION TO PRESIDENT AND SECRETARY OF STATE.

The Clerk of the House of Representatives shall transmit copies of this resolution to the President and Secretary of State.

Passed the House of Representatives September 30, 1986.

Attest:

Clerk.

Calendar No. 1026

99TH CONGRESS
2D SESSION

H. CON. RES. 332

CONCURRENT RESOLUTION

Concerning the Soviet Union's persecution of members of the Ukrainian and other public Helsinki Monitoring Groups.

SEPTEMBER 30 (legislative day, SEPTEMBER 24), 1986

Received; placed on the calendar

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